

## **TABLE OF CONTENTS**

### **FOOD AND AGRICULTURAL CODE**

Article 1. General Provisions.....	1
Article 2. Definitions .....	1
Article 3. Funds .....	3
Article 4. Feed Inspection Advisory Board .....	3
Article 5. Labels .....	6
Article 6. Standards and Tolerances .....	7
Article 7. Inspection and Analysis .....	7
Article 8. Mislabeling .....	7
Article 9. Adulteration .....	8
Article 10. Licenses .....	8
Article 11. Inspection Tonnage Tax .....	9
Article 12. Violations.....	10
Article 13. Procedure for Prosecution .....	13
Article 14. Complaints .....	15

### **CALIFORNIA CODE OF REGULATIONS**

Article 1. Definitions .....	14
Article 2. Commercial Feed Containing Drugs, Food Additives, or Harmful Substances .....	14
Safety and Efficacy of Drugs and Food Additives .....	14
Unlawful Sale or Use of Poisonous Substances .....	15
Unlawful Sale or Use of Material Containing Pesticide Residue .....	15
Fluorine Tolerances .....	16
Heavy Metals Prohibited .....	16
Animal Proteins Prohibited in Ruminant Feed .....	16

Article 3. Special Mixes .....	17
Bulk Sale .....	17
Packaged Sale .....	18
Resale .....	18
Article 4. Labeling and Use Requirements .....	18
Required Use of Official Names .....	18
Classification of Ingredients .....	18
Specificity of Directions .....	18
Statement of Ingredients Outside List .....	18
Complete Label Required .....	19
Label Statements .....	19
Collective Terms .....	20
Guarantees .....	21
Labeling for Special Purposes .....	21
Labeling Liquid Feed .....	22
Article 5. Commercial Feeds Containing	
Drugs and Special Provisions .....	22
Use of Drugs in Commercial Feed .....	22
Labeling of Feeds Containing Drugs .....	22
Drug and Food Additive Guarantees .....	23
Net Weight Statement .....	23
Screenings in Wheat Products .....	23
Standards Not Changed by Addition of Screenings .....	23
Materials Requiring Percentage Listings .....	24
Use of Non-protein Nitrogen Products .....	24
Vitamin Premixes .....	24
Article 6. Advertising.....	25
Misleading Advertising Prohibited .....	25
Article 7. Reports of Inspection and Analysis .....	25
Use of Reports in Advertising Prohibited .....	25
Article 8. Containers .....	25
Reuse of Containers .....	25
Article 9. Misbranding and Adulteration .....	26
Misbranding .....	26
Adulteration .....	26
Supplemental Cottonseed Product Controls .....	27
Article 10. Removal From Sale .....	28

(Revised 1-2014)

Article 11. Inspection Tax and Plant Licenses .....	28
Tax Payment .....	28
Licensing .....	28
Article 12. Damaged Feed .....	29
Article 13. Violations.....	29
Medicated Feed .....	29
Article 14. Definitions and Standards .....	29
General Provisions for Processed Alfalfa Products .....	29
Alfalfa Products .....	30
Almond Hull Products .....	31
Animal Products .....	31
Processed Animal Waste Products .....	34
Apple Products .....	35
Barley Products .....	36
Beet Products .....	36
Brewers' and Distillers' Products .....	36
Coconut Products .....	38
Corn Products .....	38
Cottonseed Products .....	38
Fats and Oils .....	39
Grape Products .....	41
Flax Products .....	41
Marine Products .....	42
Milk Products .....	43
Mineral Feeds .....	45
Molasses Products .....	50
Non-Protein Nitrogen Products .....	51
Oat Products .....	51
Peanut Products .....	52
Rice Products .....	52
Rye Products .....	53
Safflower Products .....	53
Screenings .....	53
Sesame Products .....	54
Sorghum Products .....	54
Soybean Products .....	55
Sunflower Products .....	56
Other Oilseed Products .....	57
Wheat Products .....	57
Yeast Products .....	58
Miscellaneous Products .....	58
Lignin Sulfonate .....	60

# **FOOD AND AGRICULTURAL CODE**

## **CHAPTER 6. COMMERCIAL FEED**

### **Article 1. General Provisions**

**14901.** The Legislature hereby finds and declares that it is the intent of this chapter to do all of the following:

(a) Enable the feed and feeding industry, with the aid of the state, to ensure in every way possible a clean and wholesome supply of meat, milk, and eggs for the benefit of the consumer.

(b) Provide assurance to the consumer-buyer of commercial feed that the product he or she purchases is properly identified and of the quality and quantity represented by the manufacturer of the commercial feed.

(c) Provide funds for the administration and enforcement of this chapter by an inspection tonnage tax on commercial feed to be paid by any person that distributes commercial feed to a consumer-buyer in this state.

(d) Enable the commercial feed industry, pursuant to regulations or procedures adopted or established by the secretary, to implement and maintain an efficient program of inspection and analysis of commercial feed.

**14902.** Except as otherwise provided in Sections 14978 and 14979, the secretary shall enforce this chapter and adopt and enforce those regulations relating to the manufacture and distribution of, and to the manner of making inspection tonnage tax payments upon, commercial feed as the secretary determines is necessary to carry out this chapter.

**14903.** The secretary shall establish, by regulation, good manufacturing practices, hazard analysis, and preventive control measures as the secretary determines are reasonably necessary to carry out the purposes of this chapter. The good manufacturing practices, hazard analysis, and preventive control measures, including verification and validation activities for all commercial feed and additives, including medicated feed premixes and medicated feeds, shall be based upon federal food and drug laws and regulations, unless the secretary determines that the federal laws and regulations are not appropriate to the conditions that exist in this state. The regulations adopted pursuant to this section shall ensure that drug usage under this chapter shall not conflict with the provisions of Chapter 4 (commencing with Section 14200).

**14904.** The secretary shall adopt and enforce regulations for the manufacture, distribution, and labeling of feed used in connection with the production of food sold as organic pursuant to Article 4.5 (commencing with Section 26569.20) of Chapter 5 of Division 21 of the Health and Safety Code which shall be consistent with the requirements of that article.

### **Article 2. Definitions**

**14921.** Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

**14923.** "Animal" means any animal, including birds, except a human being.

- 14924.** "Board" means the Feed Inspection Advisory Board.
- 14925.** "Commercial feed" includes all materials which are intended for use as feed or for mixing in feed except preparations which are manufactured and distributed for feeding to domestic pets, such as dogs, cats, and birds.
- 14926.** "Consumer-buyer" means any person not licensed under this chapter who purchases commercial feed from a manufacturer or distributor of such feed for use in feeding animals.
- 14927.** "Distribute" means to offer for sale, sell, exchange or barter.
- 14928.** "Drug" means any substance which is intended, or represented, for use in the diagnosis, cure, mitigation, treatment, or prevention of any disease in any animal, and any other substance, except feed, which is intended to affect the structure or any function of the body of any animal.
- 14929.** "Feed ingredient" means each of the constituent substances making up a formula feed.
- 14930.** "Formula feed" means two or more feed ingredients, proportioned, mixed, and processed according to specification.
- 14931.** "Label" means a display of written, printed, or graphic matter upon, or affixed to, the container in which a commercial feed is distributed, or on the invoice or delivery slip which accompanies a commercial feed.
- 14932.** "Licensee" means a person that has obtained a license pursuant to the provisions of this chapter.
- 14933.** "Manufacture" means to grind, mix, or further process a commercial feed.
- 14934.** "Medicated feeds" means commercial feeds that contain drugs.
- 14935.** "Medicated feed premixes" means a concentrated combination of one or more substances, at least one of which is a drug, which must be diluted through manufacturing into a medicated feed.
- 14936.** "Percent or percentages" means percentages by weight.
- 14937.** "Person" means any individual, corporation, partnership, trust, association, cooperative association, or any other business unit or organization.
- 14938.** "Special mix" means any commercial feed which is manufactured, processed, or mixed pursuant to specifications which are agreed upon by the purchaser and the manufacturer.

**14939.** "Ton" means a net weight of 2,000 pounds avoirdupois.

### **Article 3. Funds**

**14961.** All of the money which is received by the secretary pursuant to this chapter shall be deposited in the Department of Food and Agriculture Fund and shall be expended solely for the administration and enforcement of this chapter, including reimbursement of the board or other entity for all of the expenses necessary to carry out the purposes of this chapter.

**14962.** The secretary shall prepare an annual statement of the operating expenditures and income related to this chapter which shall be presented to the board for review as soon as possible following the termination of the fiscal year. A copy of this statement will be made available to any interested person upon request.

**14963.** If this chapter is repealed, any funds received by the secretary pursuant to this chapter remaining after all expenses are paid, shall be rebated by the secretary in a manner prescribed by the board proportionately to the amount paid by those persons that made such payments.

### **Article 4. Feed Inspection Advisory Board**

**14971.** There is in state government a Feed Inspection Advisory Board consisting of eight persons appointed by the secretary, who are licensed under this chapter and who are subject to payment of the inspection tonnage tax in accordance with this chapter. The secretary may appoint one additional member to the board, who shall be a public member. The members of the board shall receive no salary, but are entitled to payment of necessary traveling expenses in accordance with State Board of Control rules. These expenses shall be paid out of appropriations made to the department.

Upon the secretary's request, the board shall submit to the secretary the names of three or more natural persons, each of whom shall be a citizen and resident of this state and not a producer, shipper, or processor nor financially interested in any producer, shipper, or processor, for appointment by the secretary as a public member of the board. The secretary may appoint one of the nominees as the public member on the board. If all nominees are unsatisfactory to the secretary, the board shall continue to submit lists of nominees until the secretary has made a selection. Any vacancy in the office of the public member of the board shall be filled by appointment by the secretary from the nominee or nominees similarly qualified submitted by the board. The public member of the board shall represent the interests of the general public in all matters coming before the board and shall have the same voting and other rights and immunities as other members of the board.

**14971.5.** It is hereby declared, as a matter of legislative determination, that persons appointed to the Feed Inspection Advisory Board pursuant to this article are intended to represent and further the interest of a particular agricultural industry concerned, and that such representation and furtherance is intended to serve the public interest. Accordingly, the Legislature finds that, with respect to persons who are appointed to such board, the particular agricultural industry concerned is tantamount to, and constitutes, the public generally within the meaning of Section 87103 of the Government Code.

**14972.** The term of office of the members of the board is three years. When the board is first appointed, two members shall be appointed for three years, two members for two years, and one member for one year. Thereafter appointment shall be for full three-year terms. Vacancies shall be filled for an unexpired term.

**14975.** Except as otherwise provided in Sections 14978 and 14979, the board shall be advisory to the secretary and may make recommendations on all matters pertaining to this chapter, including, but not limited to, the inspection and enforcement program, annual budget, necessary fees to provide adequate inspection services, and regulations required to accomplish the purposes of this chapter.

**14976.** The board shall elect a chairman, and from time to time such other officers as it may deem advisable.

**14977.** The board shall meet at the call of its chairman or the secretary or at the request of any three members of the board. The board shall meet at least once a year.

**14978.** (a) In order to avoid administrative charges which may adversely impact persons subject to this chapter, and to provide for more efficient implementation of this chapter, the board may, on or before January 15 of any year, establish or designate one or more entities to administer all or any part of this chapter for the fiscal year beginning July 1 of the same year through June 30 of the following year, in accordance with the regulations and procedures adopted or established by the secretary pursuant to Section 14979.

(b) Notwithstanding subdivision (a), the secretary shall be responsible for the enforcement of this chapter and for the establishment of enforcement procedures.

**14978.1.** The entity or entities that may be established or designated by the board pursuant to Section 14978 includes, but shall not be limited to, the following:

(a) The committee established pursuant to Section 14978.2.

(b) Agricultural councils, commissions, and any entity established in accordance with a marketing order.

(c) Federal, state, or county agencies.

(d) The University of California and cooperative extension service.

(e) Agricultural associations and cooperatives.

(f) State accredited or certified chemistry laboratories.

However, the board may not designate any entity that is a trade association whose membership is composed primarily of persons licensed under this chapter or that represents persons regulated by this chapter.

**14978.2.** The board may establish the Commercial Feed Inspection Committee as an entity to administer this chapter. The committee shall consist of eight persons appointed by the board who shall be licensed under this chapter. The committee may, with the concurrence of the secretary, appoint one additional member to the committee, who shall be a public member. The public member shall be a citizen and resident of California who is not subject to the

licensing requirements of this chapter, and who has no financial interest in any person licensed under this chapter.

(b) Each member shall have an alternate member appointed in the same manner as the member, who shall serve in the absence of the member for whom they are designated as alternate and who shall have all the duties and exercise the full rights and privileges of members.

(c) The committee may appoint its own officers, including a chairperson, one or more vice chairpersons, and other officers as it deems necessary. The officers shall have the powers and duties delegated to them by the committee.

(d) The members and alternate members, when acting as members, shall serve without compensation but shall be reimbursed for expenses necessarily incurred by them in the performance of their duties in accordance with the rules of the State Board of Control.

(e) A quorum of the committee shall be five members. A vote of the majority of the members present at a meeting at which there is a quorum shall constitute the act of the committee.

(f) No member or alternate member, or any employee or agent thereof, shall be personally liable for the actions of the committee, and no such person shall be responsible individually in any way for errors in judgment, mistakes, or other acts, either by commission or omission, except for his or her own individual acts of dishonesty or crime.

**14978.3.** Any entity established or designated pursuant to Section 14978 shall do all of the following:

(a) Administer this chapter or any part thereof, and to do and perform all acts and exercise all powers deemed reasonably necessary.

(b) Keep accurate books and records of its activities, which shall be subject to annual audit by an auditing firm approved by the secretary. The audit shall be made a part of an annual report to all persons licensed under this chapter. The books and records shall be available for audit during regular business hours upon request of the secretary.

(c) Establish an annual budget, including, but not limited to, the allocation of funds required for inspection services necessary for the administration of this chapter.

(d) Make recommendations to the secretary concerning all of the following:

(1) Adoption, modification, and repeal of regulations and procedures.

(2) Procedures for employment, training, supervision, and compensation of inspectors and other personnel.

(3) Rate and collection of inspection tonnage tax and the collection of license fees and penalties related thereto.

(4) Acquisition and use of equipment.

(5) Posting and noticing changes in bylaws, general procedures, or orders.

**14978.4.** The secretary may require any entity or entities established or designated pursuant to Section 14978 to correct or cease any activity or function that is determined by the not to be in the public interest, or that is in violation of this chapter, and shall notify the entity in writing of these specific acts.

**14978.5.** Persons subject to this chapter shall not have access to any information in the possession of any entity or entities established or designated pursuant to Section 14978 that would disclose proprietary information regarding any other persons subject to this chapter,



including feed test results, individual tonnage tax payment, and feed formula information.

**14978.6.** Any person licensed under this chapter may petition the secretary, in accordance with regulations adopted by the secretary, to review any action, order, or decision of the entity or entities established or designated pursuant to Section 14978.

**14979.** (a) The secretary shall adopt regulations to be used by the entity or entities established or designated by the board pursuant to Section 14978 to administer this chapter. The regulations shall include, but not be limited to, contracts for analytical services with commercial laboratories and for any additional services.

(b) The secretary shall establish procedures to be used by the entity or entities established or designated by the board pursuant to Section 14978 to administer this chapter. The procedures shall include, but not be limited to, all of the following:

- (1) Employment, training, supervision, and compensation of inspectors and other personnel.
- (2) Allocation of funds and use of existing equipment and acquisition of equipment.
- (3) Collection of inspection tonnage tax, license fees and penalties related thereto.

(c) This section is not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(d) In adopting regulations and procedures, the secretary shall accept the recommendations of the entity or entities established or designated pursuant to Section 14978 if he or she finds them to be practicable and in the interest of the commercial feed industry and the public. Within 30 days of the date the secretary receives a recommendation from any such entity, the secretary shall provide the entity with notice of the acceptance of the recommendations or with a written statement of reasons if he or she does not accept the recommendation.

## **Article 5. Labels**

**14991.** (a) Except as otherwise provided in this chapter or by regulations of the secretary which declare that the statement required pursuant to this article is not applicable to certain products to carry out this chapter, every lot, parcel, or package of commercial feed distributed within this state shall have affixed to it, or be accompanied by, a label.

(b) The sale or distribution of any lot, parcel, or package of commercial feed without a label, as specified in this chapter, is an infraction punishable by a fine of not more than two hundred fifty dollars (\$250) if at least one notice of warning has been issued by the secretary for a prior violation within the preceding 12-month period. A second or subsequent violation of this subdivision within a 12-month period is a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000).

**14992.** The label shall contain a legible and plainly printed statement which certifies all of the following:

(a) The net weight or volume of the contents of the lot or parcel unless accompanied by a certified certificate of weights and measures.

(b) The product name, brand name, or trademark.

(c) The name and principal address of the manufacturer or person that is responsible for placing the commodity on the market.

(d) The guaranteed analysis stated in such terms as the secretary specifies by regulation.

(e) The recognized official name, as specified by the secretary, of each ingredient. The

secretary may by regulation permit the use of a collective term for a group of ingredients which performs a similar function. The secretary may exempt a commercial feed, or any combination of commercial feeds from labeling requirements if he finds the listing is not necessary to comply with the intent of this chapter.

(f) Adequate directions, warnings and caution statements that may be necessary for the safe use of any feed.

**14993.** Any person that manufactures, processes, or mixes any special mix for another person, shall label it in accordance with regulations as specified by the secretary.

**14994.** A special mix shall not be resold unless relabeled.

**14995.** If a manufacturer or processor of any commercial feed makes a claim or guarantee relative to the content of the commercial feed on, or with, the package which contains it, and the claim or guarantee is in addition to those required by law, he is responsible for maintaining the claim or guarantee, and may be required to submit to the secretary information and records pertinent to the claim or guarantee.

**14996.** Commercial feed manufactured or distributed for feeding to animals on a contract or partnership basis is exempt from the labeling provisions of this chapter if the feeding location is of the same ownership as the feed manufacturing facility. The label information shall be provided by the manufacturer if the information is requested by a party to the contract or partnership or if the commercial feed contains a drug.

## **Article 6. Standards and Tolerances**

**15011.** The secretary shall fix the standards for commercial feed ingredients, including drugs, tolerances for agricultural chemicals, and any additives used in the manufacture of the feed, so as to insure the safety of animals and the products of animals which are used for human consumption. The secretary shall enforce all medicated feed withdrawal periods as set by regulation.

## **Article 7. Inspection and Analysis**

**15021.** The secretary, his agents, and his inspectors shall have free access at reasonable times to all premises or conveyances which are used in the manufacture, transportation, importation, distribution, storage, or feeding of any commercial feed. They shall have access to any lot or package which contains or is supposed to contain, any commercial feed, and take samples and analyze them.

## **Article 8. Mislabeling**

**15031.** A commercial feed is mislabeled in each of the following cases:

- (a) Its labeling is false or misleading in any particular.
- (b) It is not labeled as required by this chapter.

(c) Any word, statement, or other information required pursuant to this chapter to appear on the label is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs, or devices in the labeling and in such terms as to render it likely to be read and understood under customary conditions of purchase and use.

## **Article 9. Adulteration**

**15041.** A commercial feed is adulterated in the following cases:

(a) It bears or contains any poisonous, deleterious, or nonnutritive substance in amounts which are specified as being unsafe by the secretary by regulations.

(b) If any valuable constituent has been in whole or in part omitted or abstracted therefrom or any less valuable substance substituted therefore.

(c) Its composition differs from, or quality falls below, that which it is purported or is represented to possess by its labeling.

(d) It contains a drug or drugs or other additive and the methods used in or the facilities or controls used for its manufacture, processing, or packaging do not conform to current good manufacturing practice regulations adopted by the secretary to assure that the drug or drugs or other additive meets the requirement of this chapter as to safety and has the identity and strength and meets the quality and purity characteristics which it purports or is represented to possess.

**15042.** The sale or distribution of any lot, parcel, or package of commercial feed deemed by the secretary to bear or contain a poisonous, deleterious, or nonnutritive substance in amounts which are specified as being unsafe by the secretary by regulation is an infraction punishable by a fine of not more than five hundred dollars (\$500). A second or subsequent violation of this section is a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000).

## **Article 10. Licenses**

**15051.** (a) Each person shall obtain a license from the secretary for each location where commercial feed is manufactured, distributed, sold, or stored for later sale. Persons who do not have a permanent place of business, but who otherwise manufacture, sell, or store feed shall also obtain a license from the secretary.

(b) This section also shall apply to a person whenever the person's name and address appears on the label of a commercial feed as guarantor.

(c) The following persons are exempt from this section:

(1) A person that makes only retail sales of commercial feed which bear the tag or other approved indication that the commercial feed is from a licensed manufacturer or guarantor who has assumed the full tax responsibility for the tonnage tax due under this chapter.

(2) A person who manufactures commercial feed exclusively for feeding to his or her own animals.

**15053.** (a) Each application for a license shall be accompanied by an annual fee specified by the department for each location. Beginning on January 1, 2007, the minimum license fee shall be one hundred dollars (\$100) for each location and the maximum license fee for each location

shall not exceed six hundred dollars (\$600) with the specific fee to be set by the secretary upon recommendation of the Feed Inspection Advisory Board. Those licensees with feed licenses on the effective date of the bill who have previously paid their license fees for the then current fiscal year shall not be subject to any new fees until their licenses are renewed. Beginning January 1, 2020, the license fee shall be one hundred dollars (\$100) for each location. Those licensees with feed licenses on that date who have previously paid their license fees for the then current fiscal year shall not be subject to any new license fees until their licenses are renewed.

(b) Revenues generated from license fees shall be used to replenish feed inspection program reserves to a minimum of 25 percent of program expenditures, after which point some of the revenues from these fees shall be used to reduce feed tonnage taxes provided for in this chapter upon recommendation of the Feed Inspection Advisory Board.

**15054.** All licenses shall be renewed on July 1 of each year and shall be valid until June 30 of the next year. Each application for renewal shall be accompanied by a fee in an amount specified by the department, pursuant to Section 15053, for each location operated.

**15055.** If a license is not renewed within one calendar month following its expiration, a penalty of one hundred dollars (\$100) shall be added to the fee.

**15056.** The penalty for the manufacture or distribution of a commercial feed without a valid license as specified in Section 15051 is an infraction punishable by a fine of not more than five hundred dollars (\$500). A second or subsequent violation of this Section is a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000).

## **Article 11. Inspection Tonnage Tax**

**15061.** (a) An inspection tonnage tax at the maximum rate of fifteen cents (\$0.15) per ton of commercial feed sold, except whole grains, and whole hays when unmixed, shall be paid to the secretary by any person who distributes commercial feed to a consumer-buyer in this state. The distributor shall also pay an inspection tonnage tax for purchased commercial feed fed to his or her own animals.

(b) The secretary may, based upon a finding and recommendation of the Feed Inspection Advisory Board, determine the specific rate necessary to provide the revenue needed to carry out the provisions of this chapter. The secretary and the Feed Inspection Advisory Board shall not exceed the maximum tonnage rate established by this section. Setting the tonnage tax rate shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) The secretary may, based upon a finding and recommendation of the Feed Inspection Advisory Board, designate 15 percent of the tonnage taxes collected, or two hundred thousand dollars (\$200,000), whichever amount is greater, to provide funding for research and education regarding the safe manufacture, distribution, and use of commercial feed. These funds may only be spent on activities approved by the Feed Inspection Advisory Board, with approval being made prior to any expenditure.

(d) This section shall remain in effect only until January 1, 2020, and as of that date is repealed,

unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

**15061.** (a) An inspection tonnage tax at the maximum rate of fifteen cents (\$0.15) per ton of commercial feed sold, except whole grains, and whole hays when unmixed, shall be paid to the secretary by any person who distributes commercial feed to a consumer-buyer in this state. The distributor shall also pay an inspection tonnage tax for purchased commercial feed fed to his or her own animals.

(b) The secretary may, based upon a finding and recommendation of the Feed Inspection Advisory Board, determine the specific rate necessary to provide the revenue needed to carry out the provisions of this chapter. The secretary and the Feed Inspection Advisory Board shall not exceed the maximum tonnage rate established by this section. Setting the tonnage tax rate shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) This section shall become operative on January 1, 2020.

**15062.** Every person subject to payment of the inspection tonnage tax shall make reports and payments in the manner prescribed by the secretary by regulation.

If payment is delinquent, a penalty of 15 percent of the amount past due shall be charged. For payments more than 12 months delinquent, an additional penalty of 1 percent per month of the amount past due shall be charged. The secretary shall set a penalty fee, as necessary to cover administrative costs, for any delinquency in making a report.

## **Article 12. Violations**

**15071.** (a) Unless otherwise specified, any violation of this chapter or the regulations adopted pursuant to it is a misdemeanor which is punishable by a fine of not more than five hundred dollars (\$500) for the first violation and not less than one thousand dollars (\$1,000) for each subsequent violation.

(b) The secretary may, after a hearing, refuse to issue or renew, or may suspend or revoke a license for any violation of this chapter or any regulation which is adopted pursuant thereto.

(c) Upon calling a hearing, the secretary shall serve notice personally or by mail to the licensee specifying the time and place at least 10 days prior to the hearing. At the hearing, the secretary may do all of the following:

- (1) Administer oaths and hear testimony.
- (2) Issue subpoenas requiring the attendance of the licensee and witnesses.
- (3) Compel the disclosure of the licensee and any witness of all the facts known to him or her regarding the case. In no instance shall any employee of the Feed, Fertilizer, and Livestock Drugs Branch serve as the hearing officer in any case under this section.

**15071.5.** (a) In lieu of any other penalty provided by this chapter, the secretary may levy a civil penalty against a person who violates Section 15051, 15053, or 15054, in an amount not to exceed five hundred dollars (\$500) for each violation.

(b) Before a civil penalty is levied, the person charged with the violation shall receive notice of

the nature of the violation.

(c) Any person against whom a civil penalty is imposed pursuant to this section may appeal to the secretary within 10 days of the date of receiving notification of the penalty in accordance with the following procedure:

(1) The appeal shall be in writing and signed by the appellant or his or her authorized agent, and shall state the grounds for the appeal.

(2) Any party may, at the time of filing the appeal or within 10 days thereafter, submit written evidence and a written argument to the secretary.

(3) The secretary may authorize a person to present an oral argument on their behalf. The person shall submit a request to present an oral argument at the same time the written evidence or written arguments are submitted.

(4) If a request to present an oral argument is granted by the secretary, the secretary shall give written notice of the time and place for the oral argument not less than 10 days prior to the date set for oral argument. This time requirement may be altered by an agreement between the secretary and the appellant.

(5) The secretary shall decide the appeal on the basis of the oral or written arguments, briefs, and evidence presented to the secretary.

(6) The secretary shall render a written decision within 45 days of the date the appeal was received or within 15 days of the date of the oral argument, whichever date is later.

(7) On an appeal pursuant to this section, the secretary may sustain the decision, modify the amount of the penalty imposed, or reverse the decision. A copy of the secretary's decision shall be delivered or mailed to the appellant.

(8) The decision of the secretary may be reviewed pursuant to Section 1094.5 of the Code of Civil Procedure.

(d) Any funds recovered by the secretary pursuant to this section shall be deposited in a special account in the Department of Food and Agriculture Fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated to cover costs related to the enforcement of this division.

**15072.** It is unlawful for any person to manufacture or distribute in this state any commercial feed without complying with the provisions of this chapter and the regulations which are adopted pursuant to it.

**15072.5.** It is unlawful for any person to use any commercial feed containing drugs or food additives except in compliance with all directions for use stated on any tag or label affixed to or accompanying the commercial feed.

**15073.** The secretary may seize and hold any lot of commercial feed which he has reasonable cause to believe is in violation of the provisions of this chapter or the regulations adopted pursuant to it.

**15074.** If the secretary seizes any lot of commercial feed, he shall immediately issue to the person that has control of such feed a hold order or notice. He may affix to the lot or package of such feed a warning tag which states that the lot is so held.

**15075.** (a) Any lot of commercial feed for which a hold order or notice is issued shall be held by the person having control of the feed and shall not be disturbed or moved except under the specific directions of the secretary pending final disposition pursuant to this chapter. This restriction does not prevent the person having control of the feed from inspecting any feed so seized, nor from taking therefrom, in the presence of a person designated by the secretary, a reasonable sample for evidence.

(b) The movement, distribution, or sale of all or part of any lot, parcel, or package of commercial feed that has been quarantined by the secretary, unless the movement has the prior approval of the secretary, is a misdemeanor punishable by a fine of not more than five hundred dollars (\$500). A second or subsequent violation of this subdivision is a misdemeanor punishable by a fine of not less than one thousand dollars (\$1,000).

**15076.** Any lot of commercial feed which is seized and held pursuant to this chapter, unless previously analyzed by the secretary, shall be sampled and promptly analyzed within a reasonable period of time, as set by the secretary by regulation, after the seizure for the purpose of determining if such commercial feed is, in fact, in violation of the provisions of this chapter or the regulations adopted pursuant to it. The person having control of the feed shall be immediately notified by the secretary as to whether or not the sample was found to be in violation. If the results of analysis are not made known to the person having control of the feed within the period of time specified by the secretary by regulation, the lot of commercial feed being held shall be immediately released and the hold order or tag removed.

**15077.** Upon demand of the person having control of the seized feed and within 10 days of sampling by the secretary, a subsample shall be returned from the state laboratory to the person in control of the feed.

**15078.** If the seized and held lot, as determined by the secretary's analysis, is not in violation, the secretary shall immediately release the seized and held lot and remove the hold order or tag.

**15079.** If the seized and held lot is found to be in violation, the secretary shall either:

(a) Continue to hold the lot until such time as the requirements of this chapter have been complied with, at which time the lot shall be released.

(b) Issue orders for the disposal of the lot in a manner specified by the secretary.

**15080.** The manufacturer or guarantor of a seized or held lot found to be in violation may appeal the result of analysis to the secretary in writing within 10 days of receiving the notice of violation. Upon receipt of the appeal, the secretary shall perform an additional analysis of the official sample representing the lot in question. The cost of analysis shall be at the expense of the person that requests the appeal. The findings from the appeal analysis are final.

**15081.** The authority for the issuance of citations under this chapter is limited to violations of Section 14991, 15011, 15042, 15056, or 15075. The procedures for the issuance of citations and penalties shall be prescribed in a citations policy adopted by the secretary, notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, upon the recommendation of the Feed Inspection Advisory Board.

### **Article 13. Procedure for Prosecution**

**15091.** In addition to the remedies provided in this chapter, the department may bring an action in superior court and such court shall have jurisdiction upon hearing and for cause shown, to grant a temporary or permanent injunction restraining any person from violating any provision of this chapter or the rules and regulations promulgated under this chapter. Any proceeding under the provisions of this section shall conform to the requirements of Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure. The department shall not, however, be required to allege facts necessary to show or tending to show lack of adequate remedy at law or to show or tending to show irreparable damage or loss. The court may require such acts or course of conduct as necessary to effectuate the purpose of this chapter.

**15092.** Nothing in this chapter requires the secretary to report for prosecution or to institute injunction proceedings for any minor violation of this chapter whenever he believes that the public interest shall be adequately served by a suitable written notice of warning, and compliance with such notice.

### **Article 14. Complaints**

**15101.** For purposes of this chapter, any person may file a complaint with the branch regarding the safety of whole hays if he or she submits a written complaint and pays a filing fee of two hundred fifty dollars (\$250). The filing fee, which shall be used for purposes of investigating complaints filed pursuant to this article, shall be deposited in the Department of Food and Agriculture Fund to the account of the Commercial Feed Inspection Program.

**15102.** (a) Upon the filing of a complaint pursuant to Section 15101, the secretary shall conduct an investigation with regard to the safety of whole hays.

(b) Absent the filing of a complaint pursuant to Section 15101, the secretary may conduct an investigation with regard to the safety of whole hays if he or she determines that an investigation is necessary in order to protect animal health or the health of the public.

**15103.** (a) If the secretary determines that the complaint is valid and the hay is unsafe, the secretary may require the seller of the hay to reimburse the filing fee to the person filing the complaint.

(b) The secretary also may collect from any seller of hay the costs incurred by the secretary, not to exceed two thousand five hundred dollars (\$2,500), in conducting any investigation regarding the safety of whole hay sold by that seller if the hay is ultimately deemed to be unsafe.



**TITLE 3. CALIFORNIA CODE OF REGULATIONS**  
**PLANT INDUSTRY**

**Article 1. Definitions**

**2675. Definitions.**

Unless otherwise apparent from the context the following definitions apply to this Group 2:

- (a) "Mineral feed" means a commercial feed intended to supply primarily mineral elements or inorganic nutrients for animal nutrition.
- (b) "Official sample" means a sample of commercial feed taken by the secretary or his agent for regulatory purposes.
- (c) "Process" means any treatment that changes a feed ingredient so that it can no longer be restored to its previous form.
- (d) "Official name" of ingredients means those defined in Article 14 of this Group 2, provided that in the absence of a definition, the common English name shall be used.
- (e) "Food additive" has the same meaning as defined in the Food, Drug and Cosmetics Act 21, United States Code, section 321(s).
- (f) "Sell" includes offer for sale, expose for sale, possess for sale, exchange, barter, or trade.
- (g) "Inert material" means ingredients that are not assimilated in the digestive process, including sand, granite grit, charcoal and clay.
- (h) "Prohibited Mammalian Tissue" is any protein-containing portion of mammalian animals, excluding: blood and blood products, gelatin, inspected meat products which have been cooked and offered for human food and further heat processed for feed (such as plate waste and used cellulosic food casings), milk products (milk and milk proteins), and any product whose only mammalian protein consists entirely of porcine or equine protein; or any material specified in Title 21, Code of Federal Regulations (CFR) Part 589.2000, April 1, 2001.
- (i) "Aflatoxins" means aflatoxin B<sub>1</sub>, aflatoxin B<sub>2</sub>, aflatoxin G<sub>1</sub> and aflatoxin G<sub>2</sub>, collectively.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14925, 14991, 14992(e), 15011 and 15042, Food and Agricultural Code.

**Article 2. Commercial Feed Containing Drugs, Food Additives, or Harmful Substances**

**2676. Safety and Efficacy of Drugs and Food Additives.**

(a) Prior to use or sale of commercial feed containing any additive (including any drug, food additive, or other special purpose additive, or non-nutritive additive) the distributor shall submit evidence to the secretary to show the safety and efficacy of the commercial feed when used according to the directions stated on the label.

(b) In determining whether satisfactory evidence of safety and efficacy is shown, the secretary will consider:

- (1) Whether each additive conforms to the requirements of the applicable regulations in Title

21, Code of Federal Regulations, Parts 570, 573 and 582 or are "prior sanctioned" or "generally recognized as safe (GRAS)" for stated uses.

(A) "Prior Sanctioned" is defined in Title 21, Code of Federal Regulation, Part 570.3, as an explicit approval granted with respect to use of a substance in food prior to September 6, 1958, by the Food and Drug Administration or the United States Department of Agriculture pursuant to the Federal Food, Drug and Cosmetic Act, the Poultry Products Inspection Act, or the Meat Inspection Act.

(B) "Generally Recognized as Safe (GRAS)" is defined in Title 21, Code of Federal Regulations, Part 570.3, definition of safe, as a reasonable certainty in the minds of competent scientists that the substance is not harmful under the intended conditions of use, and Part 570.30, where general recognition of safety may be based only on the views of experts qualified by scientific training and experience to evaluate the safety of substances directly or indirectly added to food.

(2) Whether the feed itself is a drug as defined in Section 14928 of the Food and Agricultural Code and is generally recognized as safe and effective for the label use, or is approved by the Food and Drug Administration under 21 United States Code 360 b.

(c) Premixes that contain more than 272.4 milligrams per pound (600 parts per million) added selenium shall be maintained by a daily inventory record that includes the following:

(1) The quantity of selenium premixes on hand at the beginning and end of the workday (up to 24 hours).

(2) A daily comparison of the actual amount of selenium premix used, with the theoretical or calculated usage.

(3) Actions taken to reconcile any discrepancies.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14903, 15011, 15031, and 15041 of the Food and Agricultural Code.

#### **2677. Unlawful Sale or Use of Poisonous Substances.**

It is unlawful to use or sell a commercial feed containing any poisonous or deleterious substance or any substance which when fed in accordance with label directions or when used in accordance with usual feeding practices may impair the health of the animal being fed or result in an illegal or harmful residue or constituent in or on human food.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14903, 15011 and 15041(a) of the Food and Agricultural Code.

#### **2678. Unlawful Sale or Use of Material Containing Pesticide Residue.**

(a) It is unlawful to sell or use commercial feed which contains pesticide residue or drug residue in excess of the tolerance permitted by regulations of the Food, Drug, and Cosmetic Act, Title 21, Part 556, and Title 40, Part 180, Code of Federal Regulations or tolerances set by the secretary.

(b) Tolerances established by the secretary are:

(1) DDT, DDD (TDE), and DDE, total residue: 0.5 part per million in or on commercial feed for animals.

(2) Toxaphene: 2.0 parts per million in or on commercial feed used by dairies for dairy animals; 7.0 parts per million for ruminant meat animal production and equines.

(3) Kelthane (1,1-bis (p-chlorophenyl)-2,2,2-trichloro-ethanol): 1.5 parts per million in or on commercial feed for ruminant meat animal production and equines.

(4) DEF (S,S,S, Tributyl Phosphorotrithioite), 4 parts per million in or on commercial feed for ruminant meat animal production and equines.

(5) Folex (Tributyl Phosphorotrithioite), 0.25 part per million in or on commercial feed for ruminant meat animal production and equines.

(c) This section does not authorize application of any pesticide.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14903, 15011 and 15041(a) of the Food and Agricultural Code.

#### **2679. Fluorine Tolerances.**

(a) The fluorine content of any mineral or mineral mixtures to be used directly for feeding shall not exceed 0.20 percent for breeding and dairy cattle; 0.30 percent for slaughter cattle; 0.30 percent for sheep; 0.35 percent for lambs; 0.45 percent for swine; and 0.60 percent for poultry.

(b) Any fluorine bearing ingredients may be used only in such limited amounts in commercial feed so that they will not increase the fluorine content of the total ration, exclusive of roughage, above the following amounts: for breeding and dairy cattle 0.004 percent; for slaughter cattle 0.009 percent; for sheep 0.006 percent; for lambs 0.01 percent; for swine 0.015 percent; and for poultry 0.03 percent.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Section 15011, Food and Agricultural Code.

#### **2680. Heavy Metals Prohibited.**

It is unlawful to sell or use commercial feed intended for direct feeding which contains a heavy metal; provided, however, the following tolerances are permitted: arsenic fifty (50) parts per million, lead thirty (30) parts per million, and mercury two (2) parts per million. Heavy metal contained in drugs which are otherwise permissible, are not subject to this prohibition.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Section 15011, Food and Agricultural Code.

#### **2681. Animal Proteins Prohibited in Ruminant Feed.**

(a) The manufacture, distribution and use of commercial feed containing protein derived from prohibited mammalian tissues shall comply with the requirements of Title 21, Code of Federal Regulations, Parts 589.2000, April 1, 2001.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14903, 15011, and 15041, Food and Agricultural Code.

### Article 3. Special Mixes

#### 2683. Special Mixes.

(a) On or before the date of the first delivery of a load, each person that manufactures or prepares a special mix for another person shall furnish to the purchaser either a label that meets the conditions of Section 2694 or the following information on an invoice or other document furnished to the purchaser:

(1) A numbered invoice or an attached document stating the date of sale and formula number.

(2) A guaranteed analysis stating the following:

(a) Crude Protein, minimum..... X%

(b) Equivalent Crude Protein from

Nonprotein Nitrogen, maximum (if present) ..... X%

(c) Crude Fat, minimum ..... X%

(d) Crude Fiber, maximum ..... X%

(e) Ash, maximum..... X%

(f) Maximum percentage of sodium, if more than one-half of one percent (0.5%) of sodium if present

(g) In the case of any formula feed which contains more than nine percent ash, the minimum and maximum percentage of calcium (Ca), minimum percentage of phosphorus (P) and the maximum percentage of sodium (if present).

(3) The official name and percent or pounds of each ingredient and if any formula feed is used, the percent or pounds of the formula feed.

(4) If a formula feed is used, the label for the formula feed meeting the requirements of Section 2694 must be attached to the numbered invoice.

(5) A special mix that contains a drug must be accompanied by all information required in Section 2701 with each delivery.

(b) The shipping document that accompanies each subsequent delivery shall provide a label which meets the terms of Section 2694, or shall plainly and prominently show the original special mix in the following manner: "Ingredient listings and guarantee of analysis accompanying formula number ( ) applies to this delivery." The shipping document must also contain the name, address and telephone number of the purchaser. Whenever any change is made in the composition of the special mix the purchaser shall be supplied with a newly numbered formula showing the required information on or before the date of the first delivery. Upon request, the manufacturer must provide the above documentation as required by the secretary.

(c) The seller shall retain a copy of each formula for one year subject to inspection by the secretary. No two formulas issued in one calendar year shall bear the same number.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14992(e), 14993 and 14994, Food and Agricultural Code.

#### 2684. Bulk Sale.

The net weight of any special mix which is sold in bulk shall be affirmed by a weighmaster's certificate of weight and measure.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Section 14993 of the Food and Agricultural Code.

**2685. Packaged Sale.**

If packaged, each package of a special mix shall have attached to it a label with all the information required in Section 2683.

Authority: Sections 407 and 14902, Food and Agricultural Code.  
Reference: Sections 14991, 14992 and 14993, Food and Agricultural Code.

**2686. Resale.**

It is unlawful to resell a special mix unless properly labeled to meet the requirements of this Group 2.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Sections 14991 and 14994 of the Food and Agricultural Code.

**Article 4. Labeling and Use Requirements**

**2688. Required Use of Official Names.**

The official name of each ingredient in reference to commercial feed in labeling and advertising shall be from the official feed name found in Article 14.

Authority: Sections 407 and 14902, Food and Agricultural Code.  
Reference: Sections 14991 and 14992(e), Food and Agricultural Code.

**2689. Classification of Ingredients.**

The secretary will examine all ingredients used in feed on the basis of materials, label and advertising claims, and generally accepted usage, and determine whether each is a drug, food additive, special purpose additive or nutritional ingredient.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Sections 14991 and 14992(e) of the Food and Agricultural Code.

**2690. Specificity of Directions.**

The secretary may disapprove directions which are incapable of being followed, or are unlikely to be followed in usual feeding practices.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Sections 14991 and 14992(f) of the Food and Agricultural Code.

**2691. Statement of Ingredients Outside List.**

It is unlawful to show any ingredient outside the list of ingredients, whether in a trade name, trademark or otherwise, unless the percentage of the ingredient in the mix is shown in the same size type. Such statement shall not be shown in a misleading manner.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14991 and 14992 of the Food and Agricultural Code.

### **2693. Complete Label Required.**

Each lot or parcel of commercial feed shall bear a complete label as required by Sections 14991 and 14992 of the Food and Agricultural Code. Any supplemental representation of the commercial feed, whether or not attached to the label, must correspond fully with the information stated on the label and apply to the complete feed.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14991 and 14992 of the Food and Agricultural Code.

### **2694. Label Statements.**

The tag or label shall contain a legible and plainly printed statement which certifies to all of the following:

(a) Minimum percent of Crude Protein.

(1) Commercial feeds containing non-protein nitrogen must be labeled in accordance with Section 2707.

(b) Minimum percent of Crude Fat.

(c) Maximum percent of Crude Fiber.

(d) Maximum percent of Ash.

(1) Guarantees for the minimum and maximum percentage calcium, minimum percentage phosphorus, and maximum percentage of sodium may be stated in lieu of the ash guarantee.

(2) In the case of any formula feed which contains more than 9.0 percent ash, the minimum and maximum percentage of calcium, minimum percentage of phosphorus and maximum percentage of sodium shall be guaranteed, if present.

(e) Recognized official name of each ingredient in order of decreasing amounts present. The name of each ingredient shall appear in the same size, style and color and shall not be misleading. The following descriptive terms used in identification of ingredients in Article 14 are not required in the list of ingredients unless it expressly states: "Mechanically Extracted," "Solvent Extracted," or "Feed Grade."

(f) (1) A single ingredient product using the official name defined in Article 14, Definitions and Standards, is not required to have an ingredient statement.

(2) The labeling for a single ingredient shall contain guarantees required by this section and the minimum and/or maximum specifications included in the product definition in Article 14, Definitions and Standards.

(3) A single ingredient is not required to guarantee maximum percentage of ash unless it is specified by definition in Article 14.

(g) Maximum percentage of low nutrition ingredients in a formula feed if they singly or collectively make up more than one percent.

(h) Trademarked products can be contained in the ingredient listing in parentheses with the ingredients in the product listed in decreasing amounts present.

(i) Inert materials contained in a formula feed shall be guaranteed if they singly or collectively make up more than one percent.

(j) Maximum percentage of sodium, if more than 0.5 percent of sodium is present.

(k) Numerical value shall be guaranteed for any special quality claimed, including vitamin potency, amino acid content, or special mineral content.

(l) Maximum percentage of moisture or minimum percentage dry matter shall be guaranteed when moisture exceeds 15.0 percent. When dried animal waste is used in a mixed feed, the moisture of the mixed feed shall not exceed 12.0 percent.

(m) Vitamins shall be guaranteed in the terms specified in Section 2702. Guarantees for vitamins are not required when commercial feed is neither formulated for nor represented in any manner as a vitamin supplement.

(n) Any ingredient that is used as a carrier for vitamin, medicated or mineral premixes, may be omitted from the label and substituted with the collective term "roughage products", if the premix makes up one percent or less of the formula feed. The term "roughage products" may be omitted from the formula feed listing of ingredients.

(o) Additional guarantees must be measurable by an analytical method approved by the Secretary.

(p) Commercial feeds containing added selenium must be labeled in accordance with Section 2697 (Labeling for Special Purposes).

Authority: Sections 407, 14902 and 14992, Food and Agricultural Code.

Reference: Section 14992, 15011, and 15042 Food and Agricultural Code.

## **2695. Collective Terms.**

(a) The term "grains" may be used as an ingredient name. However, when one or more grains are named, no substitution shall be made. The form of the grain may be rolled, burred, cracked, ground, whole or pelleted. A statement of form is optional. The ingredients which may be included as "grains" are:

- (1) Barley, as defined in Section 2776(a);
- (2) Corn, as defined in Section 2782(c);
- (3) Grain sorghums, as defined in Section 2797(a);
- (4) Oats, as defined in Section 2791(a);
- (5) Rye, as defined in Section 2795(a); and,
- (6) Wheat, as defined in Section 2800(a).

(b) The term "roughage products" may be used as an ingredient name only in labeling medicated, mineral and vitamin premixes if the labeled recommended use level of the premix in the total ration is specified to be one percent or less of the total ration. The ingredients which may be included as "roughage products" are:

- (1) Almond Hull products, as defined in Section 2773.5;
- (2) Barley Hulls, as defined in Section 2776(d);
- (3) Corn Cob Fractions;
- (4) Cottonseed Hulls, as defined in Section 2783(i);
- (5) Grape Pomace, as defined in Section 2785(a);
- (6) Oat Hulls, as defined in Section 2791(c);

- (7) Rice products, as defined in Section 2794(f) and (g);
- (8) Rye, Mill Run, as defined in Section 2795(a);
- (9) Soybean Hulls, as defined in Section 2798(c);
- (10) Soybean Mill Feed, as defined in Section 2798(i);
- (11) Soybean Mill Run, as defined in Section 2798(j);
- (12) Citrus Meal, Dried Citrus Pulp, as defined in Section 2802(f); and,
- (13) Wheat products, as defined in Section 2800.

Authority: Sections 407, 14902 and 14992 of the Food and Agricultural Code.

Reference: Section 14992(e) of the Food and Agricultural Code.

#### **2696. Guarantees.**

- (a) All guarantees shall apply to the whole feed rather than any single ingredient, except as required in Section 2683, and shall be based on a recognized laboratory method of determination.
- (b) Misleading and indefinite statements concerning ingredients and value of ingredients of the feed are prohibited. Included within this prohibition is the use of such terms as "better," "high," "increased," "greater," "low," "decreased," and "less."
- (c) All guarantees shall be stated in percent unless expressly provided to the contrary as required by Sections 2683 and 2702.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 14992(d) of the Food and Agricultural Code.

#### **2697. Labeling for Special Purposes.**

- (a) Each delivery of commercial feed other than a special mix, shall be accompanied by a label containing the information required by Section 2694.
- (b) The guarantees required by Section 2694 may be replaced with guarantees pertinent to special purpose commercial feeds and feed ingredients when the feed is sold primarily for drug, mineral, or vitamin content; or when labeled in accordance with Sections 2783.5, 2788(g), (h), (i), (j), (l), (m), 2789(p), (r), (t), (u), 2790, 2790.5, 2790.7 and 2802(e).
- (c) Premixes processed by a manufacturer for use in commercial feed shall be identified. These products are subject to inspection, and shall conform to the definitions and standards which apply to the product or the claims made.
- (d) Commercial feeds containing more than 0.3 parts per million (ppm) added selenium shall include the following on the label:
  - (1) A guaranteed analysis statement for the minimum and the maximum parts per million (ppm) of selenium.
  - (2) Feeding and/or mixing instructions that bear adequate directions for the safe and permitted use of a feed containing added selenium, including the maximum permitted levels of use for a specific species.
  - (3) The statement "Caution: Follow label directions: Feeding added selenium at levels in excess of 0.3 ppm in the total diet is prohibited."
- (e) Computer generated labels may be used provided all labeling requirements are met.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.



Reference: Sections 14903, 14993, 15011, and 15041 of the Food and Agricultural Code.

**2698. Labeling Liquid Feed.**

All liquid feed supplements shall be labeled in accordance with the requirements found in Section 2694. In addition, the label shall include the minimum percentage of total sugar expressed as invert and maximum percentage of moisture or the minimum percentage of dry matter. Guarantees for crude fat or crude fiber are not required in liquid feed when there is less than one percent of either constituent.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14991, 14992 and 14993, Food and Agricultural Code.

**Article 5. Commercial Feeds Containing  
Drugs and Special Provisions**

**2700. Use of Drugs in Commercial Feed.**

All feeds containing drugs and food additives shall comply with the requirements of Title 21, Code of Federal Regulations, Parts 225, 558, 570, 573 and 582.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14903, 15011, 15031 and 15041 of the Food and Agricultural Code.

**2701. Labeling of Feeds Containing Drugs.**

Without exception, each delivery of commercial feed containing drugs must be accompanied by a label, invoice or delivery document stating in a prominent manner:

- (a) The name and quantity of each drug and active ingredient.
- (b) The purpose of each drug and active ingredient.
- (c) The term "MEDICATED" prominently displayed immediately above or below the name of the feed.
- (d) Adequate directions for use.
- (e) Warnings against use of the feed under contra-indicated conditions, including danger to the health of the animal, and warnings against use of the animal or its products for particular purposes when necessary.
- (f) Withdrawal warnings where necessary to assure compliance with residue limitations imposed by regulation.
- (g) Each batch or production run of medicated feed shall be identified with its own individual batch or production run number, code, date or other suitable identification. Bulk feed shall have this information stated on the label, invoice or shipping document. Sacked or packaged feed shall have the lot number applied to the label, sack or package.

This identification shall be adequate to facilitate the tracing of the complete manufacturing and distribution history of the product.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14903, 14992(f) and 15011, Food and Agricultural Code.

**2702. Drug and Food Additive Guarantees.**

Drugs and food additives in commercial feed shall be guaranteed in percentage except:

(a) Drugs, where the statement of dosage is in milligrams, shall be guaranteed in milligrams per pound.

(b) Antibiotics shall be guaranteed in milligrams per pound, except as required by subsection (c).

(c) Commercial feed containing antibiotics in amounts less than 2,000 grams per ton of feed shall be labeled to show the grams of antibiotic per ton; or if present in amounts more than 2,000 grams per ton shall be labeled to show the grams of antibiotic per pound of feed.

(d) Vitamin A shall be guaranteed in International or United States Pharmacopoeia (U.S.P.) units per pound.

(e) Vitamin D shall be stated in International or United States Pharmacopoeia (U.S.P.) units per pound.

(f) Vitamin E shall be guaranteed in International Units (I.U.) per pound.

(g) All other vitamins shall be guaranteed in milligrams per pound.

(h) All guarantees for vitamin content shall be stated as true vitamins, not compounds. Vitamin K shall be guaranteed as Menadione. The actual form of the vitamin added may be stated as the true vitamin (examples include D-Activated Animal Sterol, Vitamin A Acetate, A-Tocopherol Acetate) or as other commonly recognized terms (examples include Vitamin D<sub>3</sub> Supplement, Vitamin A Supplement, Vitamin E Supplement).

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14903 and 14991, Food and Agricultural Code.

**2703. Net Weight Statement.**

The net weight statement on the label shall comply with requirements of Division 5 of the Business and Professions Code.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 14992(a) of the Food and Agricultural Code.

**2704. Screenings in Wheat Products.**

The admixture of any proportion of wheat screenings with wheat bran or wheat shorts requires a declaration to that effect in the principal brand name. For example: (a) wheat bran with ground wheat screenings; (b) wheat shorts with ground wheat screenings; (c) wheat mixed feed with wheat screenings.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 14992(e) of the Food and Agricultural Code.

**2705. Standards Not Changed by Addition of Screenings.**

The crude fiber standards, as shown in the various definitions for grains and mill by-products, shall not be altered by the addition of screening.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Sections 15041(b) and (c) of the Food and Agricultural Code.

**2706. Materials Requiring Percentage Listings.**

The secretary may require the percentage listing of any material which he finds to be of minimal nutritional value.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Section 14992(d) of the Food and Agricultural Code.

**2707. Use of Non-protein Nitrogen Products.**

(a) Urea and other non-protein nitrogen products defined in Section 2790.7 are acceptable ingredients in commercial feeds for ruminants. They may be used in commercial feed for other animals only with approval by the secretary.

(b) Ingredient sources of non-protein nitrogen such as Urea, DiAmmonium Phosphate, Ammonium Polyphosphate Solution, Ammonium Sulfate, or other basic non-protein nitrogen ingredients defined by regulation shall be guaranteed as follows:

(1) Minimum percentage of Nitrogen.

(2) Minimum percentage of Equivalent Crude Protein from Non-Protein Nitrogen.

(c) Formula feed containing non-protein nitrogen products shall be labeled as follows: The maximum percent of equivalent crude protein from non-protein nitrogen shall appear immediately below the guarantee for the minimum percent of crude protein.

(d) If the commercial feed, including liquid feed contains more than 8.75 percent equivalent crude protein from all forms of non-protein nitrogen, or if the equivalent crude protein from all forms of non-protein nitrogen exceeds one-third of the total crude protein, the label shall bear a warning statement followed by feeding directions for the safe use of the feed. The warning statement shall be in prominent bold type against a contrasting background.

**WARNING  
EXCESSIVE CONSUMPTION MAY RESULT IN ADVERSE  
TOXIC REACTION  
USE ONLY AS DIRECTED**

(e) Directions for use must be stated in a manner that when followed correctly will prevent toxic reaction from over-consumption. The directions shall include the following: Consumption should be carefully controlled until animals become adjusted to the feed. Additional care should be exercised with starved, stressed or debilitated animals. Recommended daily intake levels shall be given, as well as the statement that all manufacturer's directions for use must be followed carefully.

Authority: Sections 407 and 14902, Food and Agricultural Code.  
Reference: Sections 14992(d) and (f), Food and Agricultural Code.

**2708. Vitamin Premixes.**

All vitamin premixes shall be labeled to show all vitamin potencies in terms described in Section 2702. The carrier shall be stated, if the premix is to make up more than one percent of the total ration; otherwise, the collective term "roughage product" may be used. When mineral compounds are present they shall be listed and guaranteed in percent of the elemental form. Premixes carrying drugs shall be labeled in conformity with Section 2701. The label shall include a statement showing the date manufactured.

Authority: Sections 407, 14902 and 14992 of the Food and Agricultural Code.

Reference: Sections 14991 and 14992(e) of the Food and Agricultural Code.

## **Article 6. Advertising**

### **2712. Misleading Advertising Prohibited.**

No printed, written, or advertising matter concerning commercial feed shall contain any statement, design, or device which is false, or misleading.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 15031 of the Food and Agricultural Code.

## **Article 7. Reports of Inspection and Analysis**

### **2717. Reports of Inspection and Analysis.**

(a) When an official sample has been taken and the analysis made, all financially interested parties shall be supplied with a copy of the report of inspection and analysis.

(b) If the analysis of an official sample shows that a lot of commercial feed has been sold or offered for sale in violation of any requirement of law or regulation, the report of inspection and analysis shall state the violations found.

(c) Reports of inspection and analysis apply only to the specific lot represented by the sample.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14902 and 15021 of the Food and Agricultural Code.

### **2719. Use of Reports in Advertising Prohibited.**

It is unlawful to use the name of the Department of Food and Agriculture or any of its employees or any reference to a report of inspection any analysis made by the Department in connection with any advertising of commercial feed.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 14902 of the Food and Agricultural Code.

## **Article 8. Containers**

### **2725. Reuse of Containers.**

Containers used in the manufacture, distribution and sale of commercial feed shall be suitable for the intended use, sanitized when necessary and cleaned after use, when necessary, to prevent

contamination or adulteration of the product.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 14902 of the Food and Agricultural Code.

## **Article 9. Misbranding and Adulteration**

### **2733. Misbranding.**

A commercial feed shall be deemed to be misbranded:

- (a) If it is distributed under the name of another commercial feed.
- (b) If it purports to be or is represented as a commercial feed, or if it purports to contain or is represented as containing a feed ingredient or ingredients, unless the commercial feed or feed ingredients conform to the definitions prescribed in this Group 2.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 15031 of the Food and Agricultural Code.

### **2734. Adulteration.**

A commercial feed shall be deemed to be adulterated:

- (a) (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such commercial feed shall not be considered adulterated under this subsection if the quantity of such substance in such commercial feed does not render it injurious to health; or
- (2) If it bears or contains any added poisonous, added deleterious, or added nonnutritive substance which is unsafe within the meaning of section 406 of the Federal Food, Drug, and Cosmetic Act (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; or (ii) a food additive); or
- (3) If it is, or it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act; or
- (4) If it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section 408(a) of the Federal Food, Drug, and Cosmetic Act: Provided, that where a pesticide chemical has been used in or on a raw agricultural commodity in conformity with an exemption granted or a tolerance prescribed under section 408 of the Federal Food, Drug, and Cosmetic Act and such raw agricultural commodity has been subjected to processing such as canning, cooking, freezing, dehydrating, or milling, the residue of such pesticide chemical remaining in or on such processed feed shall not be deemed unsafe if such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed feed is not greater than the tolerance prescribed for the raw agricultural commodity unless the feeding of such processed feed will result or is likely to result in a pesticide residue in the edible product of the animal, which is unsafe within the meaning of section 408(a) of the Federal Food, Drug, and Cosmetic Act.
- (5) If it is, or it bears or contains any color additive which is unsafe within the meaning of section 721 of the Federal Food, Drug and Cosmetic Act.

(6) If it contains more than 20 parts per billion aflatoxins.

(b) The use or intended use in ruminant feed of any material that contains protein derived from prohibited mammalian tissues causes the feed to be adulterated and in violation of the Food and Agricultural Code.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 15011 and 15041, Food and Agricultural Code.

### **§ 2735. Supplemental Cottonseed Product Controls.**

This section supplements the control of cottonseed products to ensure that these products meet the tolerance for aflatoxins, established in Section 2734(a)(6).

(a) Each lot, or truck, railcar, ship, barge, container, air transport, or any other means of transportation of cottonseed products originating outside of California, as a condition of entry into California, shall be accompanied by the following:

(1) A completed form furnished by the secretary (Certificate of Movement of Cottonseed Products, Rev. 12-09), incorporated by reference, stating the origin and destination of the cottonseed products.

(2) An analysis certificate reporting the results of sampling and laboratory testing for aflatoxins, showing compliance with the aflatoxins tolerances stated in Section 2734(a)(6), the name of the testing laboratory, and the testing laboratory report number representing the lot of cottonseed products identified on the certificate.

(3) A label with guaranteed analyses that complies with Section 2694 and Section 2783.

(b) Shipment of cottonseed products, which do not meet the tolerance for aflatoxins established in Section 2734(a)(6), shall be refused entry into California, except for entry for transportation to a site operating under authority of the secretary for aflatoxin detoxification or oil extraction, with the exception of products intended for export or non-feed usage.

(c) Documentation for all shipments, originating outside of California, by railcar, truck, ship, barge, container, or air transportation, with the exception of products intended for export or non-feed usage, shall be mailed to the Department on or before the shipment date and documents shall be affixed to, or accompany the lot to the purchaser. All truck shipments shall submit to inspection at California border stations and a copy of all required documentation shall accompany the lot to the purchaser. Failure to obtain such document inspection, or diversion after document inspection, shall be grounds for seizure and quarantine of the shipment.

(d) Cottonseed products originating in Riverside and Imperial counties of California shall move only to a detoxification or oil extraction site approved by the secretary, unless the products are certified by laboratory testing showing that the product is within the tolerance for aflatoxins established in Section 2734(a)(6). Such laboratory certifications shall be affixed to, or accompany the lot to the purchaser.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 15041, 15071, 15071.5, 15072 and 15073, Food and Agricultural Code.

## **Article 10. Removal From Sale**

### **2746. Removal From Sale.**

(a) The results of analysis determining whether the seized commercial feed is in violation of law shall be made known to the person having control of the feed within 5 working days.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Section 15076 of the Food and Agricultural Code.

## **Article 11. Inspection Tax and Plant Licenses**

### **2750. Tax Payment.**

(a) Each person holding a commercial feed license shall pay the inspection tonnage tax as required in Section 15062 of the Food and Agricultural Code.

(b) Reports of taxable sales shall be made quarterly to the secretary not later than one calendar month after March 31, June 30, September 30, and December 31 on a form furnished by the Secretary. Quarterly reports and payments become delinquent on May 1, August 1, November 1, and February 1, for the respective preceding quarter.

(c) Sales of commercial feed amounting to a tonnage tax of zero dollars (0) or up to five hundred dollars (\$500) may be submitted as an estimate for the entire year on the first quarter tonnage tax payment. A fourth quarter report shall be required if there are any adjustments for the calendar year's tonnage tax payment.

(d) A completed tax report must be filed for each quarter whether or not taxable sales have been made in that period, except as provided in Section 2750 (c).

(e) Each licensee shall keep accurate records of sales of commercial feed which shall be available for examination by the secretary and shall include the date of sale, to whom sold, the name and net weight of the product sold. The records shall be maintained to support the reports for the previous 3 years.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 15061 and 15062, Food and Agricultural Code.

### **2751. Licensing.**

(a) Exemptions from license requirements provided in Section 15051 of the Food and Agricultural Code shall apply only to retail stores selling bagged or packaged commercial feed labeled by a licensed feed manufacturer.

(b) Beginning July 1, 2013, the annual commercial feed license fee shall be four hundred dollars (\$400.00) for each location.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Section 15051 and 15053 of the Food and Agricultural Code.

## **Article 12. Damaged Feed**

### **2760. Damaged Feed.**

(a) Damaged feed shall be deemed adulterated and unlawful for sale except under permit of the secretary. Feed shall be deemed damaged when it or any ingredient has been affected by smoke, heat, water, mold, or contamination by any foreign substance to such an extent as to affect the nutritive value, therapeutic value, palatability, or wholesomeness of the feed.

(b) Any person in possession of damaged feed shall notify the secretary as soon as practicable after the event causing the damage and shall withhold use of the damaged feed until approved by the secretary. Within 5 working days of receipt of notification, except in emergency conditions, the secretary will make such inquiry and tests as he deems necessary, or may require the person in possession to demonstrate the extent of damage by sampling, testing, and other procedures as the secretary deems necessary.

(c) If the secretary determines that the damaged feed is suitable for use as commercial feed without restriction, he shall so notify the person in possession. Such feed shall not be deemed adulterated.

(d) If the secretary finds that the damaged feed should be permitted to be used only upon certain conditions, including reconditioning and special labeling, he may issue a permit to the person in possession for such use, requiring such conditions to be met, and may require protective controls and reports as he deems necessary.

(e) If the secretary determines that the feed is damaged to such an extent as to be unsuitable for use as commercial feed, he shall require the person in possession to destroy the feed or dispose of it in such a manner that it cannot be used as feed and may require controls and reports as he deems necessary.

(f) The secretary will require that all damaged feed containing drugs be disposed of as provided in subsection (e) and it is unlawful to sell or use such damaged feed.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Section 15041 of the Food and Agricultural Code.

## **Article 13. Violations**

### **2766. Medicated Feed.**

It is unlawful to use any medicated feed except in compliance with all directions on the tag or label.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Section 15073 of the Food and Agricultural Code.

## **Article 14. Definitions and Standards**

### **2773. General Provisions for Processed Alfalfa Products.**



(a) Chopped alfalfa, alfalfa meal, dehydrated alfalfa, alfalfa leaf meal, alfalfa stem meal, alfalfa straw meal, alfalfa pellets, alfalfa wafers, alfalfa cubes, and other forms of processed alfalfa shall be prepared only from the processing of entire alfalfa hay without the addition of foreign materials, except as specifically permitted herein, and shall not contain more than 10 percent of other crops and weeds.

(b) Alfalfa products may contain state or federally approved antioxidants and in addition may contain not more than 2 percent of added animal or vegetable fat to control dustiness without stating same as part of the name of the product; provided, however, the label shall state the presence of such antioxidant and added animal or vegetable fat.

(c) The label may include a guarantee of the beta carotene content of alfalfa products, expressed in milligrams per pound, and such guarantee may be accompanied by an expiration date. No reference shall be made to the quantity of vitamin A equivalent which may be derived by the animal.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2773.1. Alfalfa Products.**

(a) The name of an alfalfa product may include the word "dehydrated" only when the product is prepared entirely from freshly cut alfalfa having a moisture content of not less than percent before being artificially dried at a temperature of not less than 212 degrees Fahrenheit for a period of not more than 45 minutes. Dehydrated alfalfa products shall contain not less than 15.0 percent crude protein and not more than 28.0 percent crude fiber. If the product does not meet the above standards it shall be called a dehydrated forage product.

(b) Chopped Alfalfa is the entire alfalfa hay, chopped but not ground finely enough to become a meal, without the addition of any alfalfa stems, alfalfa straw, or other foreign material, or removal of the leaves and containing not less than 15.0 percent protein and not more than 30.0 percent crude fiber.

(c) Alfalfa Meal is obtained from the grinding of the entire alfalfa hay, without the addition of any alfalfa stems, alfalfa straw, or foreign material, or the removal of the leaves and containing not less than 15.0 percent protein and not more than 30.0 percent crude fiber.

(d) Alfalfa Leaf Meal is the ground product consisting chiefly of leafy materials separated from alfalfa hay containing not more than 18.0 percent crude fiber.

(e) Forage Meal is a mixture of alfalfa hay with alfalfa straw or other hays, straws or legumes and contains not less than 8.0 percent protein and not more than 38.0 percent fiber.

(f) Alfalfa Stem Meal is the ground product remaining after the separation of the leafy material from alfalfa hay or meal. When used in a mixture, the maximum percent of stem meal shall be stated in the list of ingredients.

(g) Alfalfa pellets, cubes, wafers, and other extruded forms of alfalfa are obtained from processing the entire alfalfa, without the addition of any alfalfa stems, alfalfa straw or foreign material and shall contain not less than 15.0 percent crude protein and not more than 30.0 percent crude fiber.

(h) Alfalfa Nutrient Concentrate is the product obtained from the extracted juice of freshly cut alfalfa, by coagulation, separation from the alfalfa solubles and subsequent dehydration. The product should express both protein and Xanthophyll guarantees.

(i) Concentrated Alfalfa Solubles is the product obtained by the concentration of the liquid remaining after the separation of Alfalfa Nutrient Concentrate from the juice of freshly cut alfalfa. The moisture level should not exceed 50.0 percent.

(j) If the alfalfa products defined in this section do not comply with the standards indicated in every respect, the term "forage" must be substituted for the word "alfalfa" in the name of the product.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2773.5. Almond Hull Products.**

(a) Almond hulls are obtained by drying that portion of the almond fruit which surrounds the nut. They shall not contain more than 13.0 percent moisture, nor more than 15.0 percent crude fiber, and not more than 9.0 percent ash. If they contain more than 15.0 percent but less than 29.0 percent crude fiber, they shall be labeled "Almond Hull and Shell," and the maximum percent of crude fiber shall be stated. If the crude fiber exceeds 29.0 percent, the product shall be labeled "Almond Shell." If the ash exceeds 9.0 percent, the term "and dirt" shall be included in the product name. Almond hull products shall be free of foreign material, including plastic, glass, and metal except in such trace amounts as unavoidably occur in good manufacturing practices.

(b) When the following almond hull products are used in a mixed feed, the maximum percent shall be stated.

(1) Almond hull and shell.

(2) Almond shell.

(3) Almond products containing more than 9.0 percent ash.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2774. Animal Products.**

(a) General Provision: The following general provisions apply to animal products: (1) If an approved antioxidant is added to animal products, it need not be shown in the brand name. However, the name of the antioxidant shall be clearly shown on the label. Digestibility tests referred to in this section shall use the A.O.A.C. method. (2) Animals other than livestock shall be excluded from all animal products except dry rendered tankage. (3) All animal products must be pathogen free and produced by a commercial renderer operating in conformance with the standards of Section 1180.26 of this Title 3. Any animal protein product sold as pure porcine shall be so labeled, pursuant to Title 21 CFR 589.2000, April 1, 2001.

(b) Meat Meal is the dry rendered product from mammal tissues, exclusive of any added blood, hair, hoof, horn, hide trimmings, manure, stomach and rumen contents, except in such amounts as may occur unavoidably in good manufacturing practices. It shall not contain added extraneous materials not provided for by this definition. The Calcium (Ca) level shall not exceed the actual level of Phosphorus (P) by more than 2.2 times. It shall not contain more than 12.0 percent Pepsin indigestible residue and not more than 9.0 percent of the crude protein in the

product shall be pepsin indigestible. The label shall include guarantees for minimum crude protein, minimum crude fat, maximum crude fiber, minimum Phosphorus (P) and minimum and maximum Calcium (Ca).

(c) Meat and Bone Meal is the dry rendered product from mammal tissues, including bone, exclusive of any added blood, hair, hoof, horn, hide trimmings, manure, stomach and rumen contents, except in such amounts as may occur unavoidably in good manufacturing processing practices. It shall not contain added extraneous materials not provided for in this definition. It shall contain a minimum of 4.0 percent phosphorus (P) and the calcium (Ca) level shall not be more than 2.2 times the actual Phosphorus (P) level. It shall not contain more than 12.0 percent pepsin indigestible residue and not more than 9.0 percent of the crude protein in the product shall be pepsin indigestible. The label shall include guarantees for minimum crude protein, minimum crude fat, maximum crude fiber, minimum Phosphorus (P) and minimum and maximum Calcium (Ca).

(d) Blood Meal is produced from clean, fresh animal blood, exclusive of all extraneous materials such as hair, stomach belchings and urine, except as might occur unavoidably in good processing practices. The process used must be listed as a part of the product name such as conventional cooker dried, steamed or hydrolyzed.

(e) Poultry By-Product Meal consists of the ground, rendered, clean parts of the carcass of slaughtered poultry, such as necks, feet, undeveloped eggs, and intestines, exclusive of feathers, except in such amounts as might occur unavoidably in good processing practices. The label shall include guarantees for minimum crude protein, minimum crude fat, maximum crude fiber, minimum phosphorus (P), and minimum and maximum calcium (Ca). The Calcium (Ca) level shall not exceed the actual level of phosphorus (P) by more than 2.2 times.

(f) Poultry Hatchery By-Product is a mixture of egg shells, infertile and unhatched eggs, and culled chicks which have been cooked, dried, and ground, with or without removal of part of the fat.

(g) Hydrolyzed Poultry Feathers is the product resulting from the treatment under pressure of clean, undecomposed feathers from slaughtered poultry, free of additives and accelerators. Not less than 75.0 percent of its crude protein content shall be digestible by the pepsin digestibility method.

(h) Dry Rendered Tankage is a dry rendered product consisting of undecomposed whole animals, including hair, hoof, horn, hide, feathers, and viscera, with no additional hair, hoof, horn, hide, feathers, or viscera added.

(i) Dried Meat Solubles is obtained by drying the defatted water extract of the clean, wholesome parts of slaughtered animals prepared by steaming or hot water extraction. It shall be designated according to its crude protein content which shall be no less than 70.0 percent.

(j) Fleshings Hydrolysate is obtained by acid hydrolysis of the flesh from fresh or salted hides. It is defatted, strained, and neutralized. If evaporated to 50.0 percent solids, it shall be designated "Condensed Fleshings Hydrolysate". It shall have a minimum crude protein and maximum salt guarantee.

(k) Animal By-Product Meal is the rendered product from animal tissues, exclusive of any added hair, hoof, horn, hide trimmings, manure, stomach and rumen contents, except in such amounts as may occur unavoidably in good processing practices. It shall not contain added extraneous materials not provided for by this definition. This ingredient definition is intended to cover those individual rendered animal tissue products that cannot meet the criteria as set forth

elsewhere in this section. This ingredient is not intended to be used to label a mixture of animal tissue products.

(l) Hydrolyzed Hair is a product prepared from clean, undecomposed hair, by heat and pressure to produce a product suitable for animal feeding. Not less than 80.0 percent of its crude protein shall be digestible by the pepsin digestibility method.

(m) Hydrolyzed Leather Meal is produced from leather scrap that is treated with steam for not less than 33 minutes at a pressure not less than 125 pounds per square inch and further processed to contain not more than 10.0 percent moisture, not less than 60.0 percent crude protein, not more than 6.0 percent crude fiber, not more than 2.75 percent chromium, and with not less than 80.0 percent of its crude protein digestible by the pepsin digestibility method. Hydrolyzed leather meal may be utilized in livestock feeds as provided in food additive regulation, Title 21 of the Code of Federal Regulations, CFR Part 573.540, April 1, 2001.

(n) Sprayed Dried Animal Blood is produced from clean, fresh animal blood, exclusive of all extraneous material such as hair, stomach belching, urine, except in such traces as might occur unavoidably in good factory practice. Moisture is removed from the blood by a low temperature evaporator under vacuum until it contains approximately 30.0 percent solids. It is then dried by spraying into a draft of warm, dry air which reduces the blood to finely divided particles with a maximum moisture of 8.0 percent and a minimum crude protein of 85.0 percent. It shall be designated according to its minimum water solubility.

(o) Egg Shell Meal is a mixture of egg shells, shell membranes and egg content obtained by drying the residue from an egg breaking plant in a dehydrator to an end product temperature of 180° Fahrenheit. It shall be designated according to its crude protein and calcium content.

(p) Egg Product is product obtained from egg graders, egg breakers and/or hatchery operations that is dehydrated, handled as liquid, or frozen. This product shall be free of shells or other non-egg materials except in such amounts which might occur unavoidably in good processing practices, and contain a maximum ash content of 6.0 percent on a dry matter basis.

(q) Poultry Meal is the dry rendered product from a combination of clean flesh and skin with or without accompanying bone, derived from the parts of whole carcasses of poultry or a combination thereof, exclusive of feathers, heads, feet, and entrails. It shall be suitable for use in animal food. If it bears a name descriptive of its kind, it shall correspond thereto.

(r) Blood Meal, Flash Dried is produced from clean, fresh animal blood, exclusive of all extraneous material such as hair, stomach belchings and urine except as might occur unavoidably in good manufacturing processes. A large portion of the moisture (water) is usually removed by a mechanical dewatering process or by condensing by cooking to a semi-solid state. The semi-solid blood mass is then transferred to a rapid drying facility where the more tightly bound water is rapidly removed. The minimum biological activity of lysine shall be 80.0 percent.

(s) Glandular Meal and Extracted Glandular Meal is obtained by drying liver and other glandular tissues from slaughtered mammals. When a significant portion of the water soluble material has been removed, it may be called Extracted Glandular Meal.

(t) Animal Plasma is the product obtained by spray drying plasma which has been separated away from the cellular matter (red and white blood cells) of fresh whole blood by chemical and mechanical processing. The protein portion of this product is primarily albumin, globulin, and fibrinogen type proteins. The minimum percent crude protein and the maximum percent ash shall be guaranteed on the label.

(u) Ensiled Paunch Product is a product composed of the contents of rumen of slaughtered

cattle. The moisture level is reduced to 50.0 – 68.0 percent. The product is then packed into an airtight environment, such as a silo, where it undergoes an acid fermentation that retards spoilage. The ensiled product will have a pH of 4.0 or less.

(v) Leather Hydrolyzate is obtained from leather trimmings that are pressure cooked with the addition of steam and sodium hydroxide. Chromium is precipitated and separated so that not over 30 ppm (Solids Basis) remain in the hydrolyzate. This product can be used as a liquid ingredient or as a powder. In either event, the analysis on "as a solids basis" will not be less than 75.0 percent crude protein and not less than 85.0 percent of the protein shall be pepsin digestible.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992, 15011, and 15041 of the Food and Agricultural Code.

#### **2774.5. Processed Animal Waste Products.**

It is unlawful to sell or use commercial feed containing animal waste products in violation of this section.

(a) Licensing and Processing Requirements.

(1) Commercial feed licensees shall apply to the secretary for endorsement to the license authorizing the processing, manufacturing, and selling of processed animal waste products. It is unlawful to process, manufacture or sell processed animal waste products without being licensed with a commercial feed license so endorsed.

(2) The applicant shall submit to the secretary a description of the facilities and equipment to be used in the processing and manufacturing of animal waste products, and protocol to be followed during operation. If the secretary is satisfied that the facilities, equipment and protocol are adequate to fulfill the requirements for the product, he shall issue the endorsement, subject, however, to the condition that it may be summarily suspended whenever the secretary has reason to believe that the approved procedures are not being complied with or that the product may contain pathogenic organisms.

(3) Each process approved by the secretary shall result in pathogen free products at all times, and be substantiated by process controls. The secretary may require the use of recording devices and thermometers, and a periodic schedule of sampling and laboratory examinations, and such other records he deems necessary.

(b) General Provisions.

(1) Processed animal waste is a processed product composed of total excreta, with or without litter, from poultry or ruminant animals. It shall not contain levels of drug residue, pesticide residue, or other toxic or deleterious substances that could be harmful to animals or result in harmful or unlawful residue levels in their tissues or by-products.

(2) Commercial feeds containing dried animal waste products shall not exceed 12 percent moisture.

(3) It shall not be used in feed for lactating dairy animals.

(4) When used in a mixed feed, the maximum percentage shall be stated.

(5) Animal waste products wherever sold, held for sale or offered for sale shall conform with the requirements of this section. Such products which are produced and utilized on the premises and are used entirely for feeding on the premises by the person whose animals produced the products, shall conform generally to the provisions of this section provided, however, the secretary may grant a non-fee restricted license and endorsement to such users.

(6) Any processed animal waste product which does not meet the standards for the product shall be immediately destroyed or subjected to further processing until the standards are met. Any noncomplying products may be condemned and disposed of in a manner prescribed by the secretary at the expense of the licensee or person in possession.

(c) Dried Poultry Waste is processed undiluted poultry excreta collected from cage layer flocks. The product must be uniform and contain not less than 25.0 percent crude protein, not more than 15.0 percent crude fiber and not more than 35.0 percent ash. It shall be labeled to show the maximum moisture, minimum crude protein, maximum equivalent crude protein from non-protein nitrogen, minimum fat, maximum fiber, maximum ash, the maximum and minimum calcium (Ca) and the minimum percent of phosphorus (P). The product shall not contain more than 1.0 percent feathers. Dried poultry waste products not meeting the protein guarantee shall be labeled "dried poultry litter", but said product shall meet all other requirements generally applicable to poultry waste.

(d) Dried Poultry Litter is the processed combination of total poultry excreta and litter that occurs in the floor production of poultry. The product shall be uniform and contain not less than 18.0 percent protein. The type of litter shall be a part of the product name. It shall be labeled to show minimum crude protein, maximum equivalent crude protein from nonprotein nitrogen, minimum crude fat, maximum crude fiber, lignin and ash, the maximum and minimum calcium (Ca), minimum phosphorus (P), and maximum copper (Cu).

(e) Dried Ruminant Waste is processed bovine excreta free of extraneous material such as straws, wood shavings, dirt and similar materials. The product must be uniform and contain not less than 12.0 percent crude protein and not more than 30.0 percent crude fiber and 20.0 percent ash. It must be labeled to show minimum protein, maximum equivalent crude protein from nonprotein nitrogen, minimum crude fat, maximum crude fiber, lignin, ash and maximum sodium (Na).

(f) Processed Animal Waste products in excess of 12.0 percent moisture including slurries, silages, and other semidry products must conform to the licensing and processing requirements and general provisions except Section 2 of the general provisions. If sold for feeding purposes; these products shall be labeled to show type of process, maximum moisture, minimum crude protein, maximum equivalent crude protein from nonprotein nitrogen, minimum crude fat, maximum crude fiber, lignin and ash, and maximum sodium (Na).

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992, 15011, 15041, and 15051 of the Food and Agricultural Code.

### **2775. Apple Products.**

(a) Dried Apple Pomace is the sound, dried residue remaining after the removal of cider from apples.

(b) Dried Apple Pectin Pulp is the sound, dried residue remaining after the removal of pectin from apple products.

(c) Wet Apple Pomace is the sound, wet residue remaining after the removal of cider juice from apples.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

**2776. Barley Products.**

(a) Ground Barley or Rolled Barley is the product obtained by grinding or rolling barley of such quality that the resulting processed material contains not more than 7 percent crude fiber.

(b) Ground Light Barley or Rolled Light Barley is the product obtained by grinding or rolling barley of such quality that the resulting processed material contains not more than 9 percent crude fiber.

(c) Barley Mixed Feed is the entire offal from the milling of barley flour from clean barley, and is composed of barley hulls and barley middlings.

(d) Barley Hulls is the product consisting of the outer coverings of the barley. When used in a mixture, the maximum percentage present shall be stated.

(e) Barley Feed is the entire by-product resulting from the manufacture of pearl barley from clean barley.

(f) Hulled Barley is barley from which the hull has been removed.

(g) Ground Hulled Barley, Rolled Hull Barley is the product obtained by grinding or rolling barley from which the hull has been removed.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

**2777. Beet Products.**

(a) Dried Beet Pulp is the dried residue from sugar beets which have been cleaned and freed from leaves and sand, and from which the sugar has been extracted.

(b) Wet Beet Pulp is the residue from sugar beets which have been cleaned and freed from leaves and sand, and from which the sugar has been extracted.

(c) Molasses Dried Beet Pulp is the dried material remaining after the sugar has been extracted from sugar beets to which molasses has been added.

(d) Molasses Dried Beet Pulp Product is the dried material remaining after the extraction of sugar to which molasses and beet molasses residue has been added.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

**2778. Brewers' and Distillers' Products.**

(a) Brewers Dried Grains is the dried extracted residue of barley malt alone or in mixture with other cereal grain or grain products resulting from the manufacture of wort and may contain pulverized dried spent hops in an amount not to exceed 3.0 percent, evenly distributed.

(b) Brewers Wet Grains is the extracted residue resulting from the manufacture of wort from barley malt alone or in mixture with other cereal grains or grain products. The guaranteed analysis shall include the maximum moisture.

(c) Malt Sprouts is the product removed from malted barley consisting primarily of sprouts which may include some of the malt hulls, other parts of malt and containing not less than 24 percent crude protein. The term malt sprouts when applied to a corresponding portion of other malted cereals shall be used in qualified form: i.e., "Rye Malt Sprouts," "Wheat Malt Sprouts," etc.

(d) Malt Cleanings is the cleanings of malted barley or from the recleaning of malt which does not meet the minimum crude protein standard of malt sprouts. It shall be labeled according to its crude protein content.

(e) Malt Hulls consists of the hulls obtained in cleaning malted barley.

(f) Dried Spent Hops is the dried material filtered from hopped wort.

(g) Molasses Distillers Dried Solubles is the dried residue from the yeast fermentation of molasses after the removal of the alcohol by distillation.

(h) Molasses Distillers Condensed Solubles is the condensed residue from the yeast fermentation of molasses after the removal of the alcohol by distillation.

(i) Potato Distillers Dried Residue is the dried product obtained after the manufacture of alcohol and distilled liquors from potatoes or from a mixture in which potatoes predominate.

(j) Distillers Dried Solubles is the dried thin stillage fraction after the removal of ethyl alcohol by distillation from the yeast fermentation of a grain or a grain mixture. The predominating grain shall be stated as the first word in the name.

(k) Distillers Dried Grains is the dried grain or grain mixture after the removal of ethyl alcohol by distillation from the yeast fermentation by separating the resultant coarse grain fraction of the whole stillage. The predominating grain shall be stated as the first word in the name.

(l) Distillers Dried Grains with Solubles is the product obtained after the removal of ethyl alcohol by distillation from the yeast fermentation of a grain or a grain mixture by condensing and drying at least 3/4 of the solids of the resultant whole stillage. The predominating grain shall be stated as the first word in the name.

(m) Condensed Distillers Solubles is the condensed thin stillage fraction after the removal of ethyl alcohol by distillation from the yeast fermentation of a grain or a grain mixture. The predominating grain shall be stated as the first word in the name.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2781. Coconut Products.**

(a) Coconut Meal or Copra Meal, mechanically extracted, is the ground residue which remains after removal of most of the oil from dried meat of coconuts by a mechanical extraction process.

(b) Coconut Meal or Copra Meal, Solvent Extracted, is the ground residue which remains after removal of most of the oil from dried meat of coconuts by a solvent extraction process.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2782. Corn Products.**

(a) Corn Bran is the outer coating of the corn kernel, with little or none of the starchy part or germ.

(b) Corn Feed Meal is the fine siftings obtained in the manufacture of screened corn chop, screened ground corn, or screened cracked corn with or without its aspiration products added.



(c) Ground Corn, Corn Meal, Cracked Corn, Corn Chop is the entire product made by grinding, cutting, or chopping the grains of sound Indian corn, and may be fine, medium, or coarse, and contains not more than 4.0 percent of foreign material.

(d) Screened Corn Chop, Screened Ground Corn, or Screened Cracked Corn is the coarse portion of corn chop, ground corn, or cracked corn from which most of the fine particles have been removed, and contains not more than 4.0 percent of foreign material.

(e) Corn Grits or Hominy Grits is the fine or medium sized, hard, flinty portions of sound Indian corn and contains 5.0 percent or less of the bran or germ.

(f) Ear Corn Chops is corn and cob chopped, without the husk, with no greater proportion of cob than occurs in the ear corn in its natural state.

(g) Corn Gluten Meal is that part of commercial shelled corn that remains after the extraction of the larger part of the starch and germ, and the separation of the bran by the process employed in the wet milling manufacture of corn starch or syrup. It may contain corn solubles and corn oil meal.

(h) Corn Gluten Feed is that part of the commercial shelled corn that remains after the extraction of the larger portion of the starch, gluten, and germ by the processes employed in the wet milling manufacture of corn starch or syrup. It may or may not contain fermented corn extractives or corn germ meal.

(i) Hominy Feed is a mixture of corn bran, corn germ, and a part of the starchy portion of either white or yellow corn kernels or mixture thereof as produced in the manufacture of pearl hominy, hominy grits, or table meal and contains not less than 4.0 percent crude fat. If prefixed with the words "white" or "yellow", the product must correspond thereto.

(j) Corn Germ Meal (Wet Milled) is ground corn germ from which most of the solubles have been removed by steeping and most of the oil removed by hydraulic, expeller, or solvent extraction processes, and is obtained in the wet milling process of manufacture of corn starch, corn syrup, or other corn products.

(k) Corn Germ Meal (Dry Milled) is ground corn germ which consists of corn germ with other parts of the corn kernel from which part of the oil has been removed and is the product obtained in the dry milling process of manufacture of corn meal, corn grits, hominy feed, and other corn products.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2783. Cottonseed Products.**

(a) Cottonseed Meal, Mechanically Extracted, is the product obtained by finely grinding the cake which remains after removal of most of the oil from cottonseed by a mechanical extraction process. It shall contain not less than 36.0 percent crude protein.

(b) Cottonseed Meal, Solvent Extracted, is the product obtained by finely grinding the flakes which remain after removal of most of the oil from cottonseed by a solvent extraction process. It shall contain not less than 36.0 percent crude protein.

(c) Cottonseed Cake, Mechanically Extracted, is the unground product composed of the kernel and such portions of the lint, hull, and oil as remain after removal of most of the oil from cotton seed by a mechanical process. It shall contain not less than 36.0 percent crude protein.

(d) Cottonseed Flakes, Mechanically Extracted, is the unground product, composed of the

kernel and such portions of the lint, hull, and oil as remain after removal of the oil from cottonseed by a mechanical extraction process. It shall contain not less than 36.0 percent crude protein.

- (a) Cottonseed Flakes, Solvent Extracted, is the unground product composed of the kernel and such portions of the lint, hull, and oil as remain after removal of the oil from cottonseed by a solvent extraction process. It shall contain not less than 36.0 percent crude protein.
- (b) Whole-Pressed Cottonseed, Mechanically Extracted, is composed of sound, mature, clean, delinted, and unhulled cottonseed, from which most of the oil has been removed by mechanical pressure. It shall be designated and sold by its crude protein content. If ground, it must be so designated.
- (c) Low Gossypol Cottonseed Meal, Mechanically Extracted, is a meal in which the gossypol is not more than 0.04 percent free gossypol.
- (d) Low Gossypol Cottonseed Meal, Solvent Extracted, is a meal in which the gossypol is not more than 0.04 percent free gossypol.
- (e) Cottonseed Hulls is the outer covering of the cottonseed. When used in a mixture, the maximum percent present shall be stated.
- (f) Whole cottonseed is seed remaining after removal of fiber in the ginning process. It shall contain not more than 15.0 percent free fatty acids in the oil. It shall contain not more than 13.0 percent moisture and not more than 2.0 percent foreign material. It shall be labeled to include the maximum percent ash.
- (g) Prime whole cottonseed is seed remaining after the removal of fiber in the ginning process. It shall contain not more than 3.0 percent free fatty acids in the oil. It shall contain not more than 13.0 percent moisture and not more than 2.0 percent foreign material. It shall be labeled to include the maximum percent ash.
- (h) Cracked or ground pima is pima cottonseed that has been processed but from which the oil has not been extracted. It shall be labeled to include the maximum percent ash.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2783.5. Fats and Oils.**

(a) General Provisions: Any mixture of two or more fats or fat derivatives defined below shall be identified by listing each component, for example, "animal fat and hydrolyzed vegetable oil." Any antioxidant used shall be named and followed by the word "preservative." All fats and oils used in commercial feed shall be pathogen free and safe for use as animal feed. The percentage of fatty matter is the total percentage of moisture, insoluble matter and unsaponifiable matter subtracted from 100. The use of sewer plant fats and oils is prohibited.

(b) Animal Fat is obtained from the tissues of mammals and/or poultry in the commercial processes of rendering or extracting. It consists predominantly of glyceride esters of fatty acids and contains no additions of free fatty acids or other materials obtained from fats. It must contain, and be guaranteed for, not less than 90 percent total fatty acids, not more than 2.0 percent unsaponifiable matter, and not more than 1.0 percent insoluble impurities. Maximum free fatty acids and moisture must also be guaranteed. If the product bears a name descriptive of its kind or origin; i.e., "beef", "pork", "poultry", it must correspond thereto. If an antioxidant is used, the common name or names shall be indicated, followed by the words "used as a

preservative”.

(c) Fat Product, Feed Grade is any fat product which does not meet the definitions for animal fat, vegetable fat or oil, hydrolyzed fat or fat ester. It shall be sold on its individual specifications which will include the minimum percentage of total fatty acids, the maximum percentage of unsaponifiable matter, the maximum percentage of insoluble impurities, the maximum percentage of free fatty acids and moisture. The above listed specifications shall be guaranteed on the label. If an antioxidant(s) is used, the common name or names shall be indicated, followed by the words “used as a preservative”.

(d) Vegetable Fat or Oil is the product of vegetable origin obtained by extracting the oil from seeds or fruits which are commonly processed for edible purposes. It consists predominantly of glyceride esters of fatty acids, and contains no additions of free fatty acids, or other materials obtained from fats. It shall contain and be guaranteed for not less than 90 percent total fatty acids, not more than 2.0 percent unsaponifiable matter and not more than 1.0 percent insoluble impurities. Maximum percent free fatty acids, and moisture shall also be guaranteed. If the product bears a name descriptive of its kind or origin, i.e., “soybean oil”, “cottonseed oil”, it shall correspond thereto. If an antioxidant(s) is used, the common name or names shall be indicated, followed by the words “used as a preservative.”

(e) Hydrolyzed Fat or Oil (feed grade) is a product obtained by the fat processing procedures commonly used in edible fat processing or soap making. It consists predominantly of fatty acids, and shall contain, and be guaranteed for, not less than 85.0 percent total fatty acids, not more than 6.0 percent unsaponifiable matter, and not more than one (1) percent insoluble impurities. Maximum moisture must also be guaranteed. Its source shall be stated in the product name, i.e., "hydrolyzed animal fat," "hydrolyzed vegetable," "hydrolyzed animal and vegetable fat." If an antioxidant(s) is used, the common name or names must be indicated, followed by the words “used as a preservative”.

(f) Ester (feed grade) is the product consisting of methyl, ethyl or other nonglyceride ester of fatty acids derived from animal and/or vegetable fats. It consists predominantly of the ester and shall contain not less than 85.0 percent total fatty acids, not more than 10.0 percent free fatty acids, not more than 6.0 percent unsaponifiable matter (2.0 percent for methyl esters), and not more than 1.0 percent insoluble matter. Its source shall be stated in the product name, i.e., "methyl ester of animal fatty acids," "ethyl ester of vegetable oil fatty acids." Methyl esters shall contain not more than 150.0 parts per million (0.015 percent) free methyl alcohol. If an antioxidant(s) is used, the common name or names must be indicated, followed by the word “preservative(s)”.

(g) Corn Endosperm Oil is obtained by the extraction of oil from corn gluten. It consists predominantly of free fatty acids and glyceride, and shall contain not less than 85.0 percent total fatty acids, not more than 14.0 percent unsaponifiable matter, and not more than 1.0 percent insoluble matter. if an antioxidant(s) is used, the common name or names shall be indicated followed by the word "preservatives".

(h) Corn Syrup Refinery Insolubles, Feed Grade is obtained in the refining of a corn syrup. It consists predominantly of the fatty fraction of corn starch together with protein and residual carbohydrate. It may contain water and not more than 7.0 percent ash nor less than 50.0 percent fat on a water-free basis.

(i) Calcium Salts of Long-Chain Fatty Acids are the reaction products between calcium and long-chain fatty acids of vegetable and/or animal origin. They shall contain a maximum of 20.0

percent lipid not bound in the calcium salt form and percent total fat shall be indicated. The unsaponifiable matter (exclusive of calcium salts) shall not exceed 4.0 percent and moisture shall not exceed 5.0 percent. If an antioxidant(s) is used, its common name(s) must be indicated on the label. Prior to conducting an assay for total fats, hydrolysis of the calcium salts should be performed to liberate the lipid fraction.

(j) Hydrolyzed Sucrose Polyesters, Feed Grade is the product resulting from the acid hydrolysis of sucrose polyesters, such as olestra, to make them digestible. It shall consist predominately of fatty acids and contain, and be guaranteed for, not less than 85.0 percent total fatty acids, not more than 2.0 percent Sucrose Polyesters (hex ester and above), not more than 2.0 percent unsaponifiable matter, and not more than 2.0 percent insoluble impurities. Maximum moisture shall also be guaranteed. Its source shall be stated in the product name, i.e., "Hydrolyzed animal sucrose polyesters", "Hydrolyzed vegetable sucrose polyesters", or "Hydrolyzed animal and vegetable sucrose polyesters". If an antioxidant(s) is used, the common name or names shall be indicated, followed by the words "used as a preservative".

(k) Vegetable Oil Refinery Lipid, Feed Grade, is obtained in the alkaline refining of a vegetable oil for edible use. It consists predominantly of the salts of fatty acids, glyceride, and phosphates. It may contain water and not more than 22.0 percent ash on a water-free basis. It may or may not be acidulated before using in commercial feeds, but if acidulated, it shall be neutralized.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2785. Grape Products.**

(a) Grape Pomace is the residue after the juice has been expressed in the production of wine from grapes. It consists of skins and seeds. When used in a mixed feed the maximum percent present shall be stated.

(b) Raisin Stem Meal is the ground or chopped product obtained in the grading and stemming of raisins. It consists of skins and seeds. When used in a mixed feed the maximum percent present shall be stated.

(c) Raisin Seed Meal consists of the ground seed obtained in the manufacture of seeded raisins with or without the extraction of part of the oil. When used in mixed feeds the maximum percent present shall be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2787. Flax Products.**

(a) Linseed Meal, Mechanically Extracted, is the product obtained by grinding the cake or chips which remain after removal of most of the oil from flaxseed by a mechanical extraction process and contains not more than 10 percent fiber.

(b) Linseed Meal, Solvent Extracted, is the product obtained by grinding the flakes which remain after removal of most of the oil from flaxseed by a solvent extraction process and contains not more than 10 percent fiber.

(c) Flaxseed Screenings Meal, Solvent Extracted, is the ground product obtained after solvent

extraction of part of the oil from the smaller imperfect flaxseeds, weedseeds, other oilseeds and other foreign material having feeding value, separated in cleaning flaxseed.

(d) Flax Plant Product is that portion of the flax plant having feeding value remaining after harvesting the seed and separation of the bast fibers and flax shives. It consists of the leaves, corticle tissues, flax seed bolls, broken and immature flax seeds, and contains a minimum of 9 percent crude protein and a maximum of 35 percent crude fiber.

(e) Flax Straw By-Product is the ground product remaining after the removal of the longer fiber material from flax straw by mechanical processing and contains not less than 2 percent crude protein and not more than 70 percent crude fiber.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

## **2788. Marine Products.**

(a) Marine products containing more than 3.0 percent sodium must state the percentage. No marine product shall contain more than 7.0 percent sodium.

(b) Fish Meal is clean, dried, ground tissues of undecomposed whole fish and/or fish cuttings with or without the extraction of part of the oil. It shall contain not more than 10.0 percent moisture. If it contains more than 3.0 percent sodium (Na), the amount of sodium shall constitute a part of the brand name, provided that in no case must the sodium content of this product exceed 7.0 percent.

(c) Fish Residue Meal is the clean, dried, undecomposed residue from the manufacture of glue from non-oily fish. If it contains more than 3.0 percent sodium (Na), the amount of sodium shall constitute a part of the brand name, provided that in no case shall the sodium content of this product exceed 7.0 percent.

(d) Fish Market Scrap Meal is the clean, dried, ground tissues and/or viscera of fish and other sea food from fish markets, with or without the extraction of part of the oil.

(e) Crab Meal is undecomposed dried waste of the crab and contains the shell, viscera, and part or all of the flesh. It shall contain not less than 25.0 percent crude protein. If it contains more than 3.0 percent sodium (Na) the amount of sodium shall constitute a part of the brand name, provided that in no case shall the sodium content of this product exceed 7.0 percent.

(f) Shrimp Meal is undecomposed dried waste of shrimp and contains the head, hull, and/or the whole shrimp. If it contains more than 3.0 percent sodium (Na), the amount of sodium shall constitute a part of the brand name, provided that in no case shall the sodium content of this product exceed 7.0 percent.

(g) Anchovy Oil is the product obtained by extraction of part of the oil from the whole Pacific anchovy, or from cannery refuse of this species of fish.

(h) Tuna Oil is the product obtained by extraction of part of the oil from the cannery refuse of tuna.

(i) Condensed Fish Solubles are obtained by evaporating excess moisture from the stickwater, aqueous liquids, resulting from the wet rendering of fish into fish meal, with or without removal of part of the oil.

(j) Fish Glandular and Liver Hydrolysate is the partially dehydrated, ground entire coelomic contents of the fish, digested by the enzymes naturally present in fish. The solids content of this

product shall not be less than 40.0 percent.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2789. Milk Products.**

(a) Dried Buttermilk contains 8.0 percent maximum moisture, 13.0 percent maximum ash, and 5.0 percent minimum milk fat using the Roesse-Gottlieb method.

(b) Condensed Buttermilk contains 27.0 percent minimum total solids, 0.055 percent minimum milk fat for each percent of total solids, and 0.014 percent maximum ash for each percent of total solids.

(c) Dried Skimmed Milk is dried defatted milk containing 8.0 percent maximum moisture.

(d) Condensed Skimmed Milk is evaporated defatted milk containing 27.0 percent minimum total solids.

(e) Dried Cultured Skimmed Milk is dried lactic acid bacteria cultured defatted milk containing 8.0 percent maximum moisture.

(f) Condensed Cultured Skimmed Milk is evaporated lactic acid bacteria cultured defatted milk containing 27.0 percent minimum total solids.

(g) Dried (Dry) Whey is the product obtained by removing water from whey. It contains not less than 11.0 percent protein nor less than 61.0 percent lactose.

(h) Condensed Whey is evaporated whey. The minimum percent total whey solids shall be stated on the label.

(i) Dried (Dry) Whey Solubles is the product obtained by drying the whey residue after the removal of whey protein, with or without partial removal of lactose. Minimum percent of crude protein and lactose and maximum percent ash shall be guaranteed on the label.

(j) Condensed Whey Solubles is evaporated whey residue from the manufacture of lactose after removal of milk albumin and part of the lactose. It shall be labeled to show the minimum percent of total whey product solids, crude protein, fat, lactose and the maximum percent ash.

(k) Dried Hydrolyzed Whey is dried lactose enzyme hydrolyzed whey containing 30.0 percent minimum total glucose and galactose.

(l) Condensed Hydrolyzed Whey is evaporated lactose enzyme hydrolyzed whey containing 50.0 percent minimum total solids and 0.3 percent minimum total glucose and galactose for each percent total solids.

(m) Condensed Whey-Product is the product obtained by partially removing water from whey from which a portion of the lactose, protein and/or minerals been removed. The minimum percent solids, crude protein and lactose and the maximum percent of ash shall be guaranteed on the label. It may also be labeled "condensed reduced minerals whey" or "condensed reduced lactose whey", if appropriate.

(n) Dried (Dry) Whey-Product is the product obtained by drying whey from which a portion of the lactose, protein and/or minerals have been removed. The minimum percent solids, crude protein, and lactose and the maximum percent ash shall be guaranteed on the label. It may also be labeled "dried reduced minerals whey" or "dried reduced lactose whey", if appropriate.

(o) Condensed Cultured Whey is evaporated cultured whey. The minimum percent total cultured whey solids shall be guaranteed on the label.

(p) Whey is the product obtained as a fluid by separating the coagulum from milk, cream or skimmed milk and from which a portion of the milk fat may have been removed.

(q) Casein is the solid acid or rennet coagulation from defatted milk and contains 80.0 percent minimum crude protein.

(r) Cheese Rind is cooked cheese trimming devoid of fat other than milk fat.

(s) Dried Lactalbumin is the dried coagulated protein residue from whey. It contains 80.0 percent minimum crude protein on a moisture-free basis.

(t) Dried Whole Milk is dried milk containing 8 percent maximum moisture and 26.0 percent minimum milk fat using the Roesse-Gottlieb method.

(u) Dried Milk Protein is dried coagulated protein residue resulting from the controlled co-precipitation of casein, lactalbumin, and minor milk proteins from defatted milk.

(v) Dried Hydrolyzed Casein is the dried water soluble product resulting from the enzymatic digestion of casein and contains 74.0 percent minimum crude protein.

(w) Condensed Whey Permeate is the product resulting from the removal of proteins from whey permeate. It shall be labeled to show the minimum percent total whey product solids, crude protein and lactose and the maximum percent ash and equivalent crude protein from nonprotein nitrogen.

(x) Condensed Delectated Whey Permeate is the product resulting from the removal of lactose from whey permeate. It shall be labeled to show the minimum percent total whey product solids, lactose, crude protein and crude fat and the maximum percent ash and equivalent crude protein from nonprotein nitrogen.

(y) Fermented Ammoniated Condensed Whey is the product produced by the *Lactobacillus bulgaricus* fermentation of whey with the addition of ammonia. It shall contain 35.0 percent to 55.0 percent crude protein and not more than 42.0 percent equivalent crude protein from nonprotein nitrogen. It shall be labeled to show the minimum percent total whey product solids, lactose, crude protein, and fat and the maximum percent ash and equivalent crude protein from nonprotein nitrogen.

The label of the additive and of any feed additive supplement, feed additive concentrate or feed additive premix prepared therefrom shall contain the following information in addition to any other required information:

(1) The name of the additive.

(2) The maximum percentage of equivalent crude protein from nonprotein nitrogen.

(3) Directions for storage and use as stated below:

"Store in closed vented tank equipped for agitation. Agitate five (5) minutes before using. Do not store at temperatures above 110°F (43°C).

Mix with grain, roughage, or grain and roughage prior to feeding.

The maximum equivalent crude protein from fermented ammoniated condensed whey and equivalent crude protein from all other added forms of nonprotein nitrogen should not exceed 30.0 percent of the dietary crude protein" and a prominent statement: "WARNING" -- "This feed shall be used only in accordance with the directions furnished on the label."

(z) Dairy Food By-Products are the products resulting from the collection of solids contained in the washwater from the normal processing and packaging of various food manufacturing plants. Dairy products are the primary source but non-dairy products may occasionally constitute a minor amount of the total volume. No sanitary sewer waste may be included. This product is to be fed at levels less than 25.0 percent of the animal's total dry matter intake.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

## **2790. Mineral Feeds.**

(a) Formula feeds containing more than 9.0 percent of Ash require, in addition to the usual label declaration of the chemical feed analysis, a declaration of each ingredient and the guarantees for the following, if present:

(1) maximum and minimum percentage of Calcium (Ca)

(2) minimum percentage of Phosphorus (P)

(3) maximum percentage of Sodium (Na);

(4) guarantees for crude protein, crude fat and crude fiber are not required when the commercial feed is intended for purposes other than to furnish these substances. Mineral ingredients shall be stated as their official names.

(b) Shell Marl is ground shells of oysters, clams, or other mollusks with impurities of sand and clay and containing less than 90.0 percent of calcium carbonate. It may bear a name descriptive of its kind. It shall be labeled to state plainly the minimum percentage of calcium carbonate ( $\text{CaCO}_3$ ) and the equivalent amount of calcium (Ca).

(c) Marl is a natural mixture of chalk, sand, and clay. It may bear a name descriptive of its kind. It shall be labeled to state plainly the minimum percentage of calcium carbonate ( $\text{CaCO}_3$ ) and the equivalent amount of calcium (Ca).

(d) Trace Mineralized Salt is common salt containing significant amounts of trace minerals which are recognized as essential for animal nutrition. Significant amounts defined are not less than 0.010 percent cobalt, 0.033 percent copper, 0.160 percent iron, 0.007 percent iodine, 0.200 percent manganese, and 0.005 percent zinc.

(e) Bone Ash is the ash obtained by burning bones with free access to air, and containing a minimum of 15.3 percent phosphorus (P). The label must show a guarantee for calcium (Ca) and phosphorus (P).

(f) Bone Charcoal is obtained by charring bones in a closed retort and contains a minimum of 14.0 percent phosphorus (P). It must be labeled with guarantees for calcium (Ca) and phosphorus (P). (This product is sometimes referred to as "Bone Black," however, bone charcoal shall be used in all labeling.)

(g) Calcite is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca).

(h) Oyster Shell Flour is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca).

(i) Shell Flour is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca).

(j) Chalk Rock is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca).

(k) Calcium Carbonate, Precipitated, is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca).

(l) Chalk, Precipitated, is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca). Precipitated chalk must be used in all labeling.



(m) Limestone, Ground, is an acceptable source of calcium carbonate. It shall be true to name and contain not less than 33.0 percent calcium (Ca). Ground limestone must be used in all labeling.

(n) Calcium Carbonate is a product true to name which contains a minimum of 38.0 percent calcium (Ca).

(o) Limestone, Magnesium, or Dolomitic, is an acceptable source of magnesium and calcium carbonate. The terms are synonymous and designate a native mineral composed of mixtures of magnesium carbonate ( $\text{MgCO}_3$ ), and calcium carbonate ( $\text{CaCO}_3$ ). It contains not less than 10.0 percent magnesium (Mg) and shall be stated as an ingredient as magnesium limestone or dolomitic limestone.

(p) Phosphate, Defluorinated, includes either calcined, fused, or precipitated calcium phosphate. It contains not more than one part of fluorine (F) to 100 parts of phosphorus (P). The minimum percent of calcium (Ca) and phosphorus (P) and the maximum percent of fluorine (F), and Sodium (Na), shall be stated on the label. The term "defluorinated" shall not be used as a part of the name of any product containing more than one part of fluorine (F) to 100 parts of phosphorus (P). The term "defluorinated phosphate" shall be used in labeling ingredient listings.

(q) Iodized Salt is salt ( $\text{NaCl}$ ) containing not less than 0.007 percent iodine, uniformly distributed.

(r) Bone Phosphate is the residue of bones that have been treated first in a caustic solution, then in a hydrochloric acid solution, and thereafter precipitated with lime and dried. It contains a minimum of 17.0 percent phosphorus (P). It shall be labeled with guarantees for calcium (Ca) and phosphorus (P).

(s) Rock Phosphate, Soft, is the very finely divided by-product (washings) obtained from mining Florida rock phosphate by the hydraulic process. It contains a minimum of 9.0 percent phosphorus (P) and 15.0 percent calcium (Ca), and not more than 30.0 percent clay and 1.5 percent fluorine (F). The term "soft rock phosphate" shall be used in labeling.

(t) Diammonium Phosphate is the product resulting from the neutralization of phosphoric acid, feed grade, or defluorinated wet-process phosphoric acid which contains not less than 17.0 percent nitrogen (N) and 20.0 percent phosphorus (P). It contains not more than 1 part fluorine (F) to 100 parts phosphorus (P), 75 ppm of arsenic (As), and 30 ppm of heavy metals reported as lead. It does not include diammonium phosphate made from by-product ammonia absorbed from coke-oven gas. It shall be used only in ruminant feeds as a source of phosphorus and nitrogen in an amount that supplies not more than 2.0 percent of equivalent crude protein in the total daily ration. If a premix, concentrate, or supplement contains more than 2.0 percent of equivalent crude protein from diammonium phosphate, the label must contain adequate directions for use and a prominent statement, "Caution: Use only as directed." The caution statement shall be in prominent bold type against a contrasting background.

(u) Bone Charcoal, Spent, is the product resulting from the repeated charring of bone charcoal after use in clarifying sugar solutions. It contains a minimum of 11.5 percent phosphorus (P). It shall be labeled with guarantees for phosphorus (P) and calcium (Ca). (This product is sometimes referred to as "Spent Bone Black," however, spent bone charcoal shall be used in labeling.)

(v) Bone Meal, Steamed, is the dried and ground product sterilized by cooking undecomposed bones with steam under pressure. Grease, gelatin, and meat fiber may or may not be removed. It shall be labeled with guarantees for phosphorus (P) and calcium (Ca). "Steamed Bone Meal"

shall be used in labeling.

(w) Phosphoric Acid, Feed Grade \_\_\_\_ percent is a solution of phosphoric acid in water. It contains not more than 100 ppm fluorine (F), 3.2 ppm arsenic (As), and 1.3 ppm of heavy metals reported as lead for each percentage of phosphorus. If manufactured by the electric furnace method, the color is to be white or amber, and turbidity clear to faintly hazy. If manufactured by the wet-process method, the color is dark brown to blackish, with marked turbidity. When this ingredient is used as a constituent in mixed feeds, it must be called phosphoric acid in the ingredient list.

(x) Rock Phosphate, Ground, is ground phosphate rock. It shall be labeled with guarantees for calcium (Ca) and phosphorus (P) and a maximum guarantee for fluorine (F). "Ground Rock Phosphate" shall be used in labeling.

(y) Rock Phosphate, Ground, Low Fluorine is ground phosphate rock that contains not more than 0.5 percent fluorine (F). "Low Fluorine Ground Rock Phosphate" shall be used in labeling. It shall be labeled with guarantees for minimum percentages of calcium (Ca) and phosphorus (P) and for a maximum percentage of fluorine (F).

(z) Ammonium Polyphosphate Solution is the product resulting from the neutralization of superphosphoric acid. It shall contain not less than 9.0 percent nitrogen (N) and 13.0 percent phosphorus (P). It shall contain not more than one part fluorine (F) to 100 parts phosphorus (P), 75 ppm of arsenic (As), and 30 ppm of heavy metals reported as lead. It may be used in ruminant feeds as a source of both phosphorus and nitrogen in an amount that supplies not more than 2.0 percent of equivalent crude protein in the total daily ration.

(aa) Metal Proteinate is the product resulting from the chelation of a soluble salt with amino acids or partially hydrolyzed protein. It shall be declared as an ingredient as the specific metal proteinate: i.e., "Copper Proteinate," "Zinc Proteinate," etc.

(bb) Smectite-Vermiculite is a natural occurring magnesium, iron, and potassium layer silicate. It shall be labeled with guarantees for magnesium (Mg), iron (Fe), and potassium (K).

(cc) Calcium Periodate is a source of iodine produced by reacting calcium iodate with calcium hydroxide or calcium oxide to form a substance consisting of not less than 60.0 percent by weight of penta calcium orthoperiodate containing 28.0 to 31.0 percent by weight of iodine. It may be used in salt for livestock as a source of iodine.

(dd) Mono-ammonium Phosphate is the product resulting from the neutralization of phosphoric acid, feed grade, or defluorinated wet-process phosphoric acid with ammonia and shall contain not less than 9.0 percent nitrogen (N), and 24.0 percent phosphorus (P). It shall contain not more than one part fluorine (F) to 100 parts phosphorus (P), 75 ppm of arsenic (As), and 30 ppm of heavy metals reported as lead. It shall be used only in ruminant feeds as a source of phosphorus and nitrogen in an amount that supplies not more than 2.0 percent of equivalent crude protein in the total daily ration. If a premix, concentrate or supplement contains more than 2.0 percent of equivalent crude protein from mono-ammonium phosphate, the label must contain adequate directions for use, and a prominent statement, "Caution: Use only as directed." The caution statement shall be in prominent bold type against a contrasting background.

(ee) Ammonium Sulfate is the product resulting from the neutralization of sulfuric acid with ammonia. It shall contain not less than 21.0 percent nitrogen (N) and not less than 24.0 percent sulfur (S). It shall contain not more than 75 ppm arsenic (As), and 30 ppm heavy metals reported as lead. This does not include ammonium sulfate made from by-product ammonia recovered from coke-oven gas. It shall be used only in ruminant feeds as source of sulfur and nitrogen in

an amount that supplies not more than 2.0 percent of equivalent crude protein from ammonium sulfate. The label shall have adequate directions for use and a prominent statement, "Caution – This feed shall be used only in accordance with directions furnished on the label".

(ff) Metal Polysaccharide Complex is the product resulting from complexing of a soluble salt with a polysaccharide solution declared as an ingredient as the specific metal complex: i.e., copper polysaccharide complex; zinc polysaccharide complex; iron polysaccharide complex, etc.

(gg) Additional Officially Recognized Mineral Ingredients.

The following inorganic (mineral) chemicals are recognized as suitable ingredients in animal feeds under controlled conditions. They shall be of purity equal to the commonly recognized "commercial grade" for the article and shall be declared as ingredients by the following names:

Calcium Gluconate	Ferrous Fumarate	Monosodium Phosphate
Calcium Iodate	Iron Ammonium Citrate	Potassium Bicarbonate
Calcium Iodobehenate	Iron Carbonate	Potassium Carbonate
Calcium Sulfate (Anhydrous)	Iron Chloride	Potassium Chloride
Calcium Sulfate (Dihydrate)	Iron Gluconate	Potassium Iodate
Cobalt Acetate	Iron Oxide	Potassium Iodide
Cobalt Carbonate	Iron Phosphate	Potassium Sulfate
Cobalt Chloride	Iron Pyrophosphate	Salt
Cobalt Oxide	Iron Sulfate	Sodium Bicarbonate
Cobalt Sulfate	Reduced Iron	Sodium Iodate
Copper Carbonate	Magnesium Carbonate	Sodium Iodide
Copper Chloride	Magnesium Oxide	Sodium Selenate
Copper Gluconate	Magnesium Sulfate	Sodium Selenite
Copper Hydroxide	Manganese Acetate	Sodium Sulfate
Copper Orthophosphate	Manganese Carbonate	Sodium Tripolyphosphate
Copper Oxide	Manganese Chloride	Sulfur
Copper Pyrophosphate	Manganese Citrate (Soluble)	Thymol Iodide
Copper Sulfate	Manganese Gluconate	Tricalcium Phosphate
Cuprous Iodide	Manganese Orthophosphate	Zinc Acetate
Dicalcium Phosphate	Manganese Phosphate (Di-basic)	Zinc Carbonate
Diiodosalicylic Acid	Manganese Sulfate	Zinc Chloride
Disodium Phosphate	Manganous Oxide	Zinc Oxide
Ethylenediamine	Monocalcium Phosphate	Zinc Sulfate
Dihydriodide		

(hh) Dicalcium Phosphate is a calcium salt of phosphoric acid, generally expressed as  $\text{CaHPO}_4$ , and its hydrated forms. Minimum percent phosphorus (P), minimum percent calcium (Ca) and maximum percent fluorine (F) must be specified. It shall be labeled to show a maximum of 1 part fluorine (F) to 100 parts phosphorus (P).

(ii) Monocalcium Phosphate is a calcium salt of phosphoric acid, generally expressed as  $\text{CaH}_4(\text{PO}_4)_2$ , and its hydrated forms. Minimum percent phosphorus (P), minimum percent calcium (Ca) and maximum percent fluorine (F) must be specified. It shall be labeled to show a maximum of 1 part fluorine (F) to 100 parts phosphorus (P).

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2790.5. Molasses Products.**

(a) General Provisions: All molasses products and liquid mixture containing molasses products, including special mixes, shall be labeled to show the minimum percentage of total sugars expressed as invert sugar, and the maximum percent of moisture. In addition, liquid mixtures containing molasses products shall be labeled to show minimum percent of crude protein and the maximum percent of ash. All guarantees shall apply to the entire mixture.

(b) Beet Molasses is a by-product of the manufacture of sucrose from sugar beets. It shall contain not less than 48.0 percent total sugars expressed as invert sugar and its density determined by double dilution shall be not less than 79.5 degrees Brix. The minimum percent of total sugars expressed as invert sugar and the maximum percent of moisture shall be stated.

(c) Citrus Molasses is the partially dehydrated juices obtained from the manufacture of dried citrus pulp. It shall contain not less than 45.0 percent total sugars expressed as invert sugar and its density determined by double dilution shall be not less than 71.0 degrees Brix. The minimum percent of total sugars expressed as invert sugar and the maximum percent of moisture shall be stated. Any citrus molasses product which does not meet the above specifications shall be called citrus peel liquor and shall be labeled to show maximum moisture, minimum total sugars expressed as invert sugar and minimum Brix.

(d) Cane Molasses is a by-product of the manufacture or refining of sucrose from sugar cane. It shall contain not less than 43.0 percent total sugars expressed as invert sugar. If its moisture content exceeds 27.0 percent, its density determined by double dilution shall not be less than 79.5 Brix.

(e) Starch Molasses is a by-product of the manufacture of dextrose from starch derived from corn or grain sorghums in which the starch is hydrolyzed by use of enzymes and/or acid. It contains not less than 43.0 percent reducing sugars expressed as dextrose and not less than 50.0 percent total sugars expressed as dextrose. It shall contain not less than 73.0 percent total solids. The minimum percent of total sugars expressed as dextrose, and the maximum percent of moisture shall be stated.

(f) Hemicellulose Extract is a by-product of the manufacture of pressed wood. It is the concentrated soluble material obtained from the treatment of wood at elevated temperature and pressure without the use of acids, alkalies, or salts. It contains pentose and hexose sugars, and other carbohydrates. The minimum percent of total sugars expressed as invert sugar and the maximum percent of moisture shall be stated.

(g) Concentrated Separator By-Product (CSB) is obtained as a by-product of the recovery of sucrose from beet molasses by utilization of molecular exclusion chromatography. The minimum percent of total sugars expressed as invert sugar and the maximum percent of moisture shall be stated.

(h) Concentrated Steffen Filtrate (CSF) is obtained as a by-product of the recovery of sucrose from beet molasses by utilization of the Steffen process (precipitation with calcium oxide).

Authority: Sections 407 and 14902 of the Food and Agricultural Code.  
Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2790.7. Non-Protein Nitrogen Products.**

(a) Urea may contain other nontoxic nitrogenous compounds which are by-products from commercial synthesis and processing. It shall contain not less than 45 percent nitrogen (N) (equivalent to 281.25 percent crude protein). If it contains less than 45 percent N but 41 percent or more N, it shall be designated as "Urea and Conditioner(s)." If the name of the conditioner(s) does not appear in the product name, the ingredient listing must contain the specific name of the conditioner(s).

(b) Feed Grade Biuret contains a minimum of 60 percent biuret together with related non-toxic nitrogenous compounds resulting from the controlled pyrolysis of urea and subsequent processing. It shall contain not less than 35 percent nitrogen (equivalent to 218.75 percent crude protein) with not more than 7 percent nitrogen (equivalent to 43.75 percent crude protein) from urea. It shall not contain more than 0.5 percent mineral oil.

(c) Other non-protein nitrogen products (Diammonium Phosphate, Ammonium Polyphosphate, Ammonium Sulfate, and Mono-Ammonium Phosphate) are defined in Section 2790.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2791. Oat Products.**

(a) Ground Oats, Pulverized Oats, Crushed Oats and Crimped Oats consist of the entire product made by grinding, cutting, crushing, or crimping whole oats. They shall contain not more than 10 percent of other grains, weed seeds, and other foreign material containing not more than 15 percent crude fiber.

(b) Oat Groats are cleaned oats with the hulls removed.

(c) Oat Hulls consist primarily of the outer covering of oats, obtained in the milling of table cereals or in the groating of oats from clean oats. When used in a mixture the maximum percentage shall be stated.

(d) Feeding Oat Meal is obtained in the manufacture of rolled oat groats, or rolled oats and consists of broken rolled oat groats, oat groat chips, and floury portions of the oat groats, with only such quantity of finely ground oat hulls resulting from good manufacturing process. It shall not contain more than 4 percent crude fiber.

(e) Clipped Oat By-Product is obtained in the manufacture of clipped oats. It may contain the light chaffy material broken from the end of the hulls, empty hulls, light immature oats, and dust. When used in a mixture the maximum percentage shall be stated.

(f) Oats shall contain a minimum of 80 percent sound cultivated oats and not more than 10 percent wild oats; 3 percent heat damaged kernels of oats, other grains, and wild oats; and 5 percent foreign material. It shall contain not more than 15 percent crude fiber. Foreign material includes all matter except cultivated oats, other grains, and wild oats, and include oat clippings, and detached oat hulls.

(g) Mixed Feed Oats consists of a mixture of grains containing at least 30 percent cultivated oats; provided that the mixture consists of either (1) not less than 65 percent of cultivated and wild oats combined or (2) not less than 65 percent of wild oats. It shall contain more than 25 percent of other grains, not more than 6 percent heat damaged kernels of oats, wild oats, and other grains, and not more than 10 percent foreign material, which may include 4 percent fine

seeds. Foreign material consists of all matter except wild oats and grains for which standards have been established under the United States Grain Standards Act.

(h) Oat Mill By-Product is the by-product obtained in the manufacture of oat groats, consisting of oat hulls, and particles of the groat, and containing not more than 22 percent crude fiber. When used in a mixture the maximum percentage shall be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2793. Peanut Products.**

(a) Peanut Meal and Hulls, Mechanical Extracted and Solvent Extracted is a product of shelled peanuts, composed principally of the kernels and hulls, with such portion of the oil, as may be left in the ordinary course of manufacture.

(b) Peanut Skins is the outer covering of the peanut kernel, exclusive of hulls, as obtained in ordinary commercial processing. The product may contain broken peanut kernels.

(c) Peanut Meal Mechanical Extracted is a ground product of the shelled peanuts, composed principally of the kernels, with such portion of the hull, or fiber, and oil as may be left in the ordinary course of manufacture. It shall contain not more than 7.0 percent crude fiber.

(d) Peanut Hulls consists of the outer hull or the peanut shell. When used in a mixed feed, the maximum percentage must be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2794. Rice Products.**

(a) Rice Polish is a by-product of rice obtained in the milling operation of brushing the grain to polish the kernel.

(b) Rice Bran is the pericarp or bran layer and germ of the rice containing not more than 13.0 percent crude fiber with hull fragments, chipped, broken, or brewers rice, and calcium carbonate as may result from good manufacturing process. When the calcium carbonate exceeds 3.0 percent (Ca.-1.2 percent), the percentage must be declared in the brand name; i.e., Rice Bran with Calcium Carbonate not exceeding \_\_\_percent.

(c) Rice Bran, Solvent Extracted, is obtained by removing the part of the oil from the rice bran by the use of solvents and shall contain not less than 14.0 percent crude protein, and not more than 14.0 percent crude fiber.

(d) Ground Rough Rice or Ground Paddy Rice is the entire product obtained by grinding the whole rice grain including the hull and contains not more than 10 percent fiber.

(e) Ground Paddy Rice Screenings is the product resulting from the cleaning of paddy rice and consists of immature rice kernels, water grass seed, rice hulls, straw, dirt and sand. It shall be free of unpalatable or injurious weed seeds. When used in a mixture, the maximum percentage shall be stated.

(f) Rice Hulls are the outer coverings of the rice kernel. When used in a mixture, the maximum percentage shall be stated.

(g) Rice Mill By-Product is the total offal obtained in the production of milled rice. It consists of rice hulls, rice bran, rice polishings and broken rice grains. It shall be free of unpalatable and

injurious weed seeds, and dirt and straw. It contains not more than 30.0 percent crude fiber and not more than 16.0 percent ash. When used in a mixture, the maximum percentage shall be stated.

(h) Chipped Rice, Broken Rice, or Brewers Rice is the small fragments of rice kernels that have been separated from the larger kernels of milled rice.

(i) Ground Brown Rice is the entire product obtained in grinding the rice kernels after the hulls have been removed.

(j) Parboiled Rice Bran is about 5.0 to 7.0 percent by weight of Parboiled Rough Rice and is a mixture of a combination of several botanical tissues: pericarp, seed coat, nucellus, and the outer most portion of the endosperm (the aleurone layer). It may contain hull fragments, broken grains and traces of added calcium carbonate as is unavoidable in the milling of parboiled rice.

(k) Stabilized Rice Bran is the bran which has been treated soon after milling by heat or other means that will substantially reduce the lipase activity. Free fatty acid content of the crude fat extracted shall not exceed 4.0 percent.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

## **2795. Rye Products.**

(a) Rye, Mill Run consists of the mill run of the outer covering of the rye kernel and the rye germ with small quantities of rye flour and aleurone and contains not more than 9.5 percent crude fiber.

(b) Rye Middlings consist of rye feed and rye red dog combined in the proportions obtained in good manufacturing process of milling rye flour and contains not more than 8.5 percent crude fiber.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

## **2795.5. Safflower Products.**

(a) Safflower Meal is obtained by extraction of oil and hulls from safflower seed and contains not less than 40 percent crude protein. If solvent extracted, it shall be so designated.

(b) Whole-Pressed Safflower Seed is the ground residue obtained by extraction of oil from whole safflower seed by a mechanical or solvent extraction process and contains not less than 20 percent protein and not more than 40 percent fiber. If solvent extracted, it shall be so designated.

(c) Safflower Hulls consist of the outer covering of safflower seed. When used in a mixture, the percentage shall be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

## **2796. Screenings.**

Screenings is the by-product obtained in the cleaning of crop seed. It may include light and

broken grains and other agricultural seeds, weed seeds, hulls, chaff, joints, straw, elevator or mill dust, sand and dirt. It shall be graded and designated according to the following definitions: No grade of screenings shall contain any seeds or other material that is either injurious to animals or will impart an objectionable odor or flavor to their milk or flesh. All screenings must be processed by grinding or otherwise to render the seed of any pest incapable of reproductions.

(a) Grain Screenings contains 70.0 percent or more grains including light and broken grains. It may contain wild buckwheat and wild oats. The term "Grain Screening" may be used for unspecified kinds of grain, or the predominating kind of grain (if in excess of 50.0 percent) may be declared as the first word or words in the name. It may contain no more than 6.5 percent ash.

(b) Seed Screenings consists of 70.0 percent or more seed, light and broken and contain not more than 6.5 percent ash. The name of the seed shall be a part of the name.

(c) Mixed Screenings is screenings from grain and seed which does not meet the standards of subsections (a) or (b). It may include hulls, chaff, straw, dust, sweepings, sand, dirt, grains and seeds and contains not more than 27.0 percent crude fiber and not more than 15.0 percent ash. If it contains more than 15.0 percent ash, the words "sand" or "dirt" shall appear on the label as part of the name of the product. When used in a mixture, the maximum percent shall be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2796.5. Sesame Products.**

(a) Sesame Oil Cake is the product obtained by removing most of the oil from sesame seed by crushing, cooking, and the use of pressure or solvents. The process used in the production (expeller or solvent) shall be a part of the brand name.

(b) Sesame Oil Meal is ground sesame oil cake. The process used in the production (expeller or solvent) shall be a part of the brand name.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2797. Sorghum Products.**

(a) Ground Grain Sorghum is the entire product made by grinding the grains of grain sorghum.

(b) Grain Sorghum Gluten Feed is that part of the grain of grain sorghums that remains after the extraction of the larger part of the starch and germ, by the processes employed in the wet milling manufacture of starch or syrup.

(c) Grain Sorghum Gluten Meal is that part of the grain of grain sorghums that remains after the extraction of the larger part of the starch and germ, and the separation of the bran by the processes employed in the wet milling manufacture of starch or syrup.

(d) Grain Sorghum Germ Cake or Grain Sorghum Germ Meal consists of the germ of grain sorghum grains from which part of the oil has been pressed and is the product obtained in the wet milling process of manufacture of starch, syrup, and other grain sorghum products.

(e) Rolled Grain Sorghums is obtained by running whole grain sorghums through rollers. Then it is properly dried and cooled.



(f) Grain Sorghum Grits consists of the hard flinty portions of grain sorghums containing 5 percent or less bran or germ.

(g) Gelatinized Sorghum Grain Flour is obtained from the endosperm of sorghum grain which has been gelatinized and reduced to a finely ground meal containing not more than 1 percent crude fiber.

(h) Partially Aspirated Gelatinized Sorghum Grain Flour is obtained from whole sorghum grain which has been partially aspirated and has been gelatinized and reduced to a finely ground meal containing not more than 2.5 percent crude fiber.

(i) Grain Sorghum Mill Feed is a mixture of grain sorghum bran, grain sorghum germ, part of the starchy portion of grain sorghum kernels, or mixture thereof as produced in the manufacture of grain sorghum grits and refined meal and flour containing not less than 5 percent crude fat and not more than 6 percent crude fiber.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

## **2798. Soybean Products.**

(a) Ground Soybean is ground whole soybeans without cooking or removing any of the oil.

(b) Ground Soybean Hay is the ground soybean plant including the leaves and beans. It must be reasonably free of other crop plants and weeds and shall contain not more than 33.0 percent crude fiber.

(c) Soybean Hulls consist of the outer covering of the soybean. When used in a mixture, the maximum percentage shall be stated.

(d) Soybean Feed, Solvent Extracted, is the product remaining after the partial removal of protein and nitrogen free extract from dehulled solvent extracted soybean flakes. When used in a mixture, the maximum percentage shall be stated.

(e) Soy Flour is the finely powdered material resulting from the screened and graded product remaining after removal of most of the oil from selected, sound, cleaned and dehulled soybeans by a mechanical or solvent extraction process. It shall contain not more than 4.0 percent crude fiber.

(f) Soybean Meal, Mechanically Extracted, is the product obtained by grinding the cake or chips which remain after removal of most of the oil from soybeans by a mechanical extraction process. Heat must be applied during the process. It shall contain not more than 7.0 percent crude fiber. It may contain calcium carbonate or an anti-caking agent not to exceed 0.5 percent to reduce caking and improve flowability. The name of the conditioning agent shall be shown as an added ingredient.

(g) Soybean Meal, Solvent Extracted, is the product obtained by grinding the flakes which remain after removal of most of the oil from soybeans by a solvent extraction process. It shall contain not more than 7.0 percent crude fiber. It may contain calcium carbonate or an anti-caking agent not to exceed 0.5 percent to reduce caking and improve flowability.

(h) Soybean Meal, Dehulled, Solvent Extracted, is obtained by grinding the flakes remaining after removal of most of the oil from dehulled soybeans by a solvent extraction process. It shall contain not more than 3.5 percent crude fiber. It may contain calcium carbonate or an anti-caking agent not to exceed 0.5 percent to reduce caking and improve flowability. The name of the conditioning agent must be shown as an added ingredient. When listed as an ingredient in a

manufactured feed it may be identified as “Dehulled Soybean Meal.”

(i) Soybean Mill Feed is composed of soybean hulls and the offal from the tail of the mill which results from the manufacture of soy grits or flour and contains not less than 13.0 percent crude protein and not more than 32.0 percent crude fiber. When used in a mixture, the maximum percentage shall be stated.

(j) Soybean Mill Run is composed of soybean hulls and such bean meats that adhere to the hulls which results from normal milling operations in the production of dehulled soybean meal and contains not less than 11.0 percent crude protein and not more than 35.0 percent crude fiber.

(k) Soy Phosphate or Soy Lecithin is the mixed phosphatide product obtained from soybean oil by a degumming process. It contains lecithin, cephalin, and inaction phosphatides, together with glycerides of soybean oil and traces of tocopherols, glucosides, and pigments. It shall be designated and sold according to conventional descriptive grades with respect to consistency and bleaching.

(l) Heat Processed Soybeans is the product resulting from heating whole soybeans without removing any of the component parts. It may be ground, pelleted, flaked, or powdered. The maximum pH rise using standard urease testing procedure should not exceed 0.10 pH units. It shall be sold according to its crude protein, crude fat and crude fiber content.

(m) Soy Protein Concentrate is prepared from high quality sound, clean, dehulled soybean seeds by removing most of the oil and water soluble non-protein constituents and contains not less than 65.0 percent protein on a moisture-free basis.

(n) Kibbled Soybean Meal is the product obtained by cooking ground solvent extracted soybean meal under pressure and extruding from an expeller or other mechanical pressure device. It shall be designated and sold according to its protein content and shall contain not more than 7.0 percent crude fiber.

(o) Condensed Soybean Solubles is the product resulting from the washing of Soy Flour or Soybean Flakes with water and acid; water, alkali and acid; or water and alcohol. The wash water is then concentrated to a solids content of not less than 50.0 percent.

(p) Soy flour is the finely powdered material resulting from the screened and graded product after removal of most of the oil from selected, sound, cleaned and dehulled soybeans by a mechanical or solvent extraction process. It shall contain not more than 4.0 percent crude fiber.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

#### **2798.5. Sunflower Products .**

(a) Sunflower Meal, Dehulled, Mechanically Extracted, is obtained by grinding the residue remaining after the extraction of most of the oil from dehulled sunflower seed by a mechanical extraction process.

(b) Sunflower Meal, Dehulled, Solvent Extracted, is the ground residue remaining after extraction of most of the oil from dehulled sunflower seed by a solvent extraction process.

(c) Sunflower Meal, Mechanically Extracted, is the ground residue remaining after extraction of most of the oil from whole sunflower seed by a mechanical extraction process.

(d) Sunflower Meal, Solvent Extracted, is the ground residue remaining after extraction of most of the oil from whole sunflower seed by a solvent extraction process.

(e) Sunflower Hulls consist of the outer covering of sunflower seeds. When used in a mixture

the maximum percentage shall be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **Section 2799. Other Oilseed Products.**

(a) Canola Meal low erucic acid low glucosinolate consists of the meal obtained after the removal of most of the oil, by a direct solvent or prepress solvent extraction process, from the whole seeds of the species *Brassica napus* or *Brassica campestris* the oil component of which seed contains less than 2.0 percent erucic acid and the solid component of which seed contains less than 30 micromoles of any mixture of 3-butenyl glucosinolate, 4-pentenyl glucosinolate, 2-hydroxy-3-butenyl glucosinolate and 2-hydroxy-4-pentenyl glucosinolate per gram of air dry, oil free solid. It must contain a maximum of 12.0 percent crude fiber and a maximum of 30 micromoles of glucosinolates per gram of air dry, oil free solid. It must contain a maximum of 12.0 percent crude fiber and a maximum of 30 micromoles of glucosinolates per gram.

(b) Rapeseed Meal, Mechanically Extracted, is obtained by grinding the cake which remains after removal of most of the oil by mechanical extraction of the seed from the rapeseed plant (*Brassica*) and contains a minimum of 32.0 percent protein and a maximum of 12.0 percent crude fiber.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14992 and 15011, Food and Agricultural Code.

### **2800. Wheat Products.**

See Section 2704 for definitions of wheat products containing screenings.

(a) Wheat Bran is the coarse outer covering of the wheat kernel separated from cleaned and scoured wheat in good commercial milling practice.

(b) Wheat Feed Flour consists principally of wheat flour together with fine particles of wheat bran, wheat germ, and the offal from the "tail of the mill." This product shall be obtained from good commercial milling process. It shall contain not more than 1.5 percent crude fiber.

(c) Wheat Germ Meal is wheat germ together with bran and middlings or shorts resulting from good commercial processing. It shall contain not less than 25 percent crude protein and 7 percent crude fat.

(d) Wheat Mill Run, is coarse wheat bran, fine particles of wheat bran, wheat shorts, wheat germ, wheat flour, and the offal from the "tail of the mill." This product shall be obtained in the usual process of commercial milling containing not more than 9.5 percent crude fiber.

(e) Wheat Middlings consists of fine particles of wheat bran, wheat shorts, wheat germ, wheat flour, and some of the offal from the "tail of the mill." This product shall be obtained in good commercial milling practice and contain not more than 9.5 percent crude fiber.

(f) Wheat Shorts consists of fine particles of wheat bran, wheat germ, wheat flour, and offal from the "tail of the mill" obtained in good commercial milling practice and contain not more than 7 percent crude fiber.

(g) Wheat Red Dog consists of offal from the "tail of the mill" together with some fine particles of wheat bran, wheat germ, and wheat flour. This product is obtained in good commercial milling practice and contains not more than 4 percent crude fiber.

(h) Defatted Wheat Germ Meal is wheat germ meal from which part of the oil or fat has been removed and contains not less than 30 percent crude protein.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2801. Yeast Products.**

(a) Primary Dried Yeast or Dried Yeast is the dried, non-fermentative yeast of the botanical classifications *Saccharomyces* which has been separated from the medium in which propagated. It shall consist of yeast cells with no fillers and contains not less than 40.0 percent crude protein.

(b) Irradiated Dried Yeast, is the dried, non-fermentative yeast which has been subjected to ultraviolet rays in order to produce anti-rachitic potency.

(c) Yeast Culture is the product composed of yeast grown on malt, in a base or cereal meals and capable of producing active fermentation. The ingredients shall be stated on the label. Products resembling Yeast Cultures but not having reproductive activity shall be labeled "Inactivated Yeast Culture" followed by the statement "Will Not Produce Fermentation."

(d) Active Dry Yeast is yeast which has been dried in such a manner as to preserve a large portion of its fermenting power. It shall consist of yeast cells and contain no added cereal or filler and shall contain not less than 15 billion live yeast cells per gram.

(e) Brewers Dried Yeast is the dried, non-fermentative, non-extracted yeast of the botanical classification *Saccharomyces* resulting as a by-product from the brewing of beer and ale. It must not contain less than 35.0 percent crude protein. It must be labeled according to its crude protein content.

(f) *Torula* Dried Yeast or *Candida* Dried Yeast is the dried, non-fermentation yeast of the botanical classification (*torulopsis*) *Candida utilis* (formerly *Torulopsis utilis*) which has been separated from the medium in which propagated. It must contain not less than 40.0 percent crude protein.

(g) Yeast Culture is the dried product composed of yeast and the media on which it was grown, dried in such a manner as to preserve the fermenting activity of the yeast. The media must be stated on the label.

(h) Molasses Yeast Condensed Solubles is obtained by condensing to a syrup consistency the broth remaining after the removal of baker's yeast cells propagated on molasses.

(i) Brewers Liquid Yeast is the non-fermentative, non-extracted yeast of the botanical classification *Saccharomyces* resulting as a by-product from the brewing of beer and ale. It must contain not less than 35.0 percent crude protein on a dry weight basis. The guaranteed analysis shall include the maximum moisture.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

### **2802. Miscellaneous Products.**

(a) Oil Cake is the product obtained after the extraction of part of the oil by crushing, cooking, and pressing, or by crushing, heating, and the use of solvents, from vegetable seeds which have been screened and cleaned of weed seed, hulls, and other foreign materials by a commercial process. A name indicative of the source shall be prefixed to the words "oil cake."

(b) Oil Meal is oil cake ground to a meal. A name indicative of the source shall be prefixed to the words "oil meal."

(c) Silage is green fodder that has been preserved with or without additives by ensiling. Normally the material is finely cut and blown into a chamber such as a pit or bag where it is pressed to exclude air and where it undergoes an acid fermentation that retards spoilage. The materials shall be labeled to show the kind of silage, for example, corn silage, oat silage, hay silage. When the product is sold in a formula or mixed feed, all ingredients shall be stated on the label. The label shall state the following guarantees: minimum percent crude protein, minimum percent crude fat, maximum percent crude fiber, maximum percent ash and maximum and minimum percent moisture.

(d) Ground Bean Screenings or Ground Pea Screenings is the ground, broken and culled beans or peas removed from field run beans or peas in the process of recleaning. They shall be free from dirt, pods, and straw.

(e) Charcoal (vegetable) is charred hard or soft wood, nut shells, or fruit pits. If it is wood charcoal, it shall bear a designation indicating whether it is hard wood charcoal or soft wood charcoal. Charcoal from nut shells or fruit pits shall be designated as shell charcoal. When used in a mixed feed the maximum percent shall be stated on the label.

(f) Dried Citrus Pulp, Citrus Meal is the dried peel and residue of the inside portions, and occasional cull fruits of the citrus family with or without the extraction of part of the juice and part of the oil of the peel. If a neutralizing agent, e.g., calcium oxide, calcium carbonate, or calcium hydrate is added as an aid in processing, the maximum percentage shall be stated. If it bears a name descriptive of its kind, it shall correspond thereto.

(g) Wet Citrus Pulp, is the peel and residue of the inside portions, and occasional cull fruits of the citrus family with or without the extraction of part of the juice and part of the oil of the peel. If a neutralizing agent, e.g. calcium oxide, calcium carbonate, or calcium hydrate is added as an aid in processing, the maximum percentage shall be stated. If it bears a name descriptive of its kind, it shall correspond thereto.

(h) Coca Bean Shells or Coca Bean Hulls is the hard outside coating of the coca bean.

(i) Ground Cull Nut Meats or Ground Nut Meat Screenings is the ground fragments, immature, and culled nut meats obtained in the cleaning and grading of nut meats. They shall be free of shells, hulls, dirt, and other foreign material.

(j) Feeding Dried Fruits consists of the culled substandard fruit or surplus production of the dried fruit industry. It may contain an artificial color or flavoring matter which has been approved by the secretary. It shall bear a name descriptive of its kind.

(k) Ground Straw or Chopped Straw is ground or chopped cereal or other straws from which the seeds have been removed. It shall bear a name descriptive of its kind. When used in a mixture, the maximum percentage shall be stated.

(l) Ground Dried Vegetables is dried, ground vegetables. It shall bear a name descriptive of its kind.

(m) Buckwheat Middlings is that portion of the buckwheat grain immediately under the hull after separation of the flour containing no more hulls than is obtained in good commercial buckwheat milling practice, and containing not more than 10.0 percent crude fiber.

(n) Dried Kelp is dried seaweed. The maximum percentage of sodium (Na) and the minimum percentage of potassium (K) shall be declared. If the kelp is sold as a source of iodine (I), the minimum percentage of iodine shall be declared. If the product is prepared by artificial drying, it

may be called "Dehydrated Kelp."

(o) Dehydrated Silage Pellets are wholesome silage (ensilage) which has been dried by thermal means and formed into pellets by a mechanical process. The product should bear a name descriptive of the type of silage pelleted, such as "Dehydrated Alfalfa Silage Pellets," etc.

(p) Paunch Product, Dehydrated, is a product composed of the contents of the rumen of slaughtered cattle, dehydrated at temperatures over 100 degrees centigrade to a moisture content of 12.0 percent or less, and sufficient to destroy all pathogenic organisms. It shall be dehydrated promptly after removal from the rumen to prevent decomposition.

(q) Bagasse is the portion of the stalk (leaves and tops removed) of sugar cane remaining after extraction of the juice.

(r) Coastal Bermudagrass Hay is the dried aerial portion of the perennial hybrid grass, Coastal Bermuda (*Cynodon dactylon*) (L.) (Pers.), free of other crop plants, and weeds which have been cultivated as a crop and harvested during a period of active growth. If it is fully ground, it shall be designated as "Coastal Bermudagrass Meal." If it is dried by thermal means, it may be designated as "Dehydrated Coastal Bermudagrass Hay" or "Dehydrated Coastal Bermudagrass Meal."

(s) Dried Tomato Pomace is a dried mixture of tomato skins, pulp, and crushed seeds. If the pomace contains spices used in the production of a tomato product, this shall be shown in the name as "Dried Spiced Tomato Pomace."

(t) Ground Straw is the ground product remaining after separation of the seed from mature forage plants. The source of the material shall constitute a part of the name of the product; i.e., "Ground Blue Grass Straw," "Ground Alfalfa Straw."

(u) Ground Grass is obtained by drying and grinding grass which has been cut before formation of the seed. If a specie name is used, the product shall correspond thereto.

(v) Dehydrated Garbage is artificially dried, undecomposed animal and vegetable table waste, from which crockery, glass, metal, string and similar materials have been removed, processed at a temperature sufficient to destroy pathogenic organisms. If part of the grease and fat is removed, it shall be designated as "Degreased Dehydrated Garbage."

(w) Cereal Food Fines consists of particles of breakfast cereals obtained as a by-product of their processing.

(x) Dried Bakery Product is a mixture of bread, cookies, cake, crackers, flours, and doughs which has been mechanically separated from non-edible materials, artificially dried and ground. If the product contains more than 3.5 percent sodium, the maximum percentage of sodium shall be a part of the name; i.e., Dried Bakery Product with \_\_\_\_ percent sodium.

(y) Buckwheat Hulls is the outer covering of the buckwheat obtained in the milling of buckwheat flour.

(z) Guar Meal is whole guar beans after removal of most of the endosperm. If the product is heat treated, it may be designated as "heat treated" or "toasted."

(aa) Synthetic Fatty Alcohol is a blend of long chain linear and branched alcohols with carbon numbers ranging from C<sub>20</sub> through C<sub>32</sub> and of hydrocarbons ranging from C<sub>24</sub> through C<sub>40</sub>. The product is an off white (straw) color, soft solid, with a melting point of approximately 115°F. The product shall contain not less than 95.0 percent long chain alcohols. It shall be labeled to show the minimum percent long chain alcohols, and maximum percent moisture, insoluble and unsaponifiable matter. The statement "For use in ruminant feeds only, not to exceed 5.0 percent of the ration," shall appear on the label. When used in blended fat or other fat products, the

percent shall be stated.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.

**2803. Lignin Sulfonate.**

(a) General Provisions: Lignin Sulfonate is ammonium, calcium, magnesium or sodium salt, or a combination of spent sulfite liquor derived from the sulfite digestion of wood in either a liquid or dry form. The moisture shall not exceed 6 percent by weight in the dry form, or 50 percent by weight in the liquid form. The label shall state whether the product is the ammonium, sodium, magnesium, or calcium salt or the combination thereof. Where the ammonium is used, the percent of equivalent crude protein from nonprotein nitrogen shall be guaranteed as applicable. The label shall show total sugars expressed as invert sugar, maximum moisture, maximum ash, and maximum sodium for sodium lignin sulfonate, maximum magnesium for magnesium lignin sulfonate, and maximum calcium for calcium lignin sulfonate.

(b) Spent lignin sulfonate is lignin sulfonate with part or all of the sugar removed by fermentation or other process and shall be labeled with the same guarantee as lignin sulfonate in subsection (a).

(c) When lignin sulfonate is added to a mixed feed, in an amount not exceeding 2 percent of the total mixture, the type of lignin sulfonate need not be stated in the list of ingredients of the mixed feed.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 14992 and 15011 of the Food and Agricultural Code.